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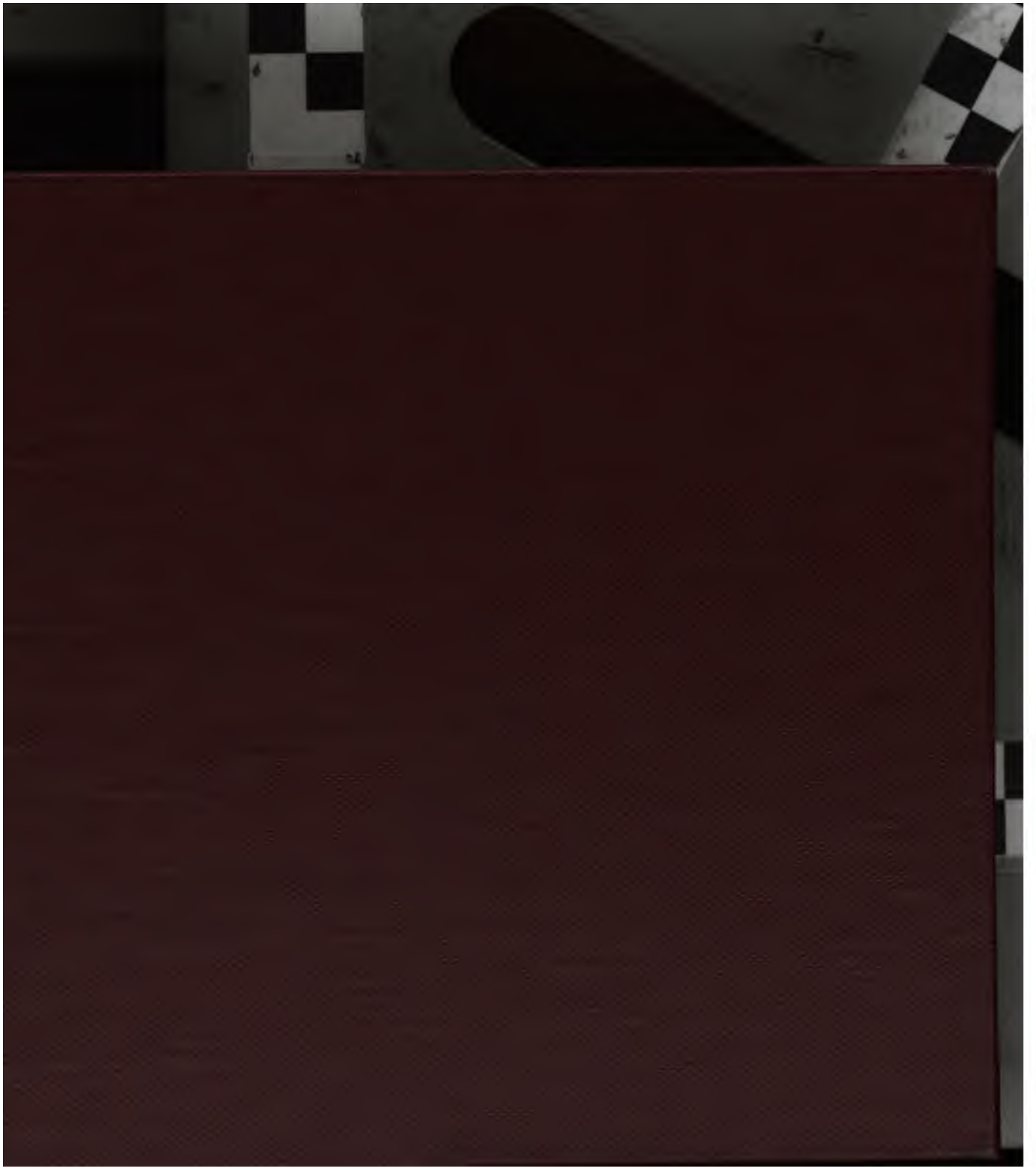

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EDITED

WITH INTRODUCTION
NOTES AND CRITICAL APPENDIX

BY THE

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PREFACES

In preparing this edition of Cicero's *Sestiana* I have followed the same general plan as in the *Planciana* (published in 1881 for the Syndics of the Cambridge University Press), which has been very favourably noticed in English and Foreign Reviews.

The speech is not one that is usually read in English Schools or even Universities, and yet it is full of interest. It contains some passages, especially those about M. CATO (c. XXVIII) and about the different kinds of statesmen, as fine as anything we have in Roman oratory; and there is much historic interest in the lively sketch of the state of political parties at one of the most thrilling periods. In short, it is a specimen of the writer's best style, 'natural, direct, vivid, powerful, tremulous with life and energy, perfect in form, genuinely Latin, yet penetrated with the Greek feeling for finish and clearness,' as Professor Nettleship well describes it

in a recent Article in the *Fortnightly Review*, where he institutes a comparison between the style of Cicero and that of Catullus.

A scholar who is second to none in his intimate knowledge of Cicero's Latinity, Mr James S. Reid, Fellow of Gonville and Caius College, has kindly read the proof sheets and furnished the remarks distinguished by his initials J. S. R.

LONDON
June 1883

In revising the Second Edition I have consulted the Essay by Martin Hertz entitled *Zur Kritik von Ciceros Rede für Sestius* (Leipzig 1881); also the edd. of C. F. W. Müller, of Halm-Laubmann, Berlin 1886 and of Boutorwek, Gotha 1883.

LONDON
September 1887

The Third Edition has been carefully revised and corrected throughout.

LONDON
August 1889

H. A. HOLDEN

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INTRODUCTION

(AFTER HAIM)

§ 1. With the suppression of the Catilinari conspiracy M. Tullius Cicero had attained the zeni of his political career. The hope which he i dulged, that together with the eternal gratitude his fellow-citizens he had secured for himself re influence in the future course of public events, prov at the end of his consulship to be null and void. F at the close of his year of office he was about to addre the people on the occasion of resigning his authorit when one of the tribunes Q. Caecilius Metelli Nepos refused him leave to speak to the assembl saying that he who had condemned Roman citizens death without a hearing ought not to have a hearii himself[1]. As the tribune would only allow him take the usual oath that he had done his duty, t consul swore with a loud voice that he alone had pr served the Commonwealth from ruin[2]; and the peop confirmed the truth of his statement with loud accl mations and escorted him home from the Forum wi

[1] Cic. ep. ad fam. v 2 8 *qui in alios animadvertisset i dicta causa, dicendi ipsi potestatem fieri non oportere.*

[2] Plutarch Cic. c. 23 ὤμνυεν οὐ τὸν πάτριον ἀλλ' ἴδιόν τινα κ καινὸν ὅρκον, Dion Cass. 37, 38, Cic. or. in Pis. c. 3.

unusual demonstrations of respect. Though not only Cicero, but other prominent members also of the senatorial party, such as the intrepid Q. Lutatius Catulus[2] and the stubborn hero M. Porcius Cato, must have experienced in the time which followed similar attacks and calumnies, the senate succeeded in maintaining a decided preponderance until the consulship of Gaius Julius Caesar, their vigorous proceedings against the Catilinarians having given them a fresh lease of authority and influence.

§ 2. By his election to the Consulship for B.C. 59 Caesar was a step nearer to the accomplishment of his long-cherished grand project of raising himself to supreme power as the champion of the popular party. Pompeius, who was angry with the senate because they delayed the confirmation of his arrangements in Asia after his victory over Mithridates and the assignment of the lands which he had promised his soldiers, was shortsighted enough to play into the hands of Caesar. The latter succeeded in effecting a reconciliation between Pompeius and the wealthy and powerful Crassus, who had quarrelled in their consulship and had never been friends since. He won them over by the argument that their mutual hostility could not but enhance the influence of such men as Cicero and Cato; while an union of interests on the contrary would reduce their opponents to insignificance. Whatever secret projects were entertained by them individually, the three were united in the determination

[2] His death in the year B.C. 60 was a heavy loss to the party of the *optimates*.

to obtain the overthrow of the aristocratical party (*optimates*) by all means in their power.

§ 3. The first result of this coalition was the passing of Caesar's land bill (*lex agraria*) in spite of the resistance of the senate; and its adoption exposed the weakness of the party of the *optimates*. The other laws also which Caesar had carried during his consulship, whether unaided or by the agency of his instrument the tribune P. Vatinius, served more or less to circumscribe and still further weaken the power of the *optimates*. The control which the senate exercised over the provinces of the Consuls was abolished. In defiance of the *lex Sempronia*, which restricted the occupation of a province to a single year, Caesar obtained from the people, by means of a rogation of Vatinius, the government of Cisalpine Gaul together with Illyricum, with a force of three legions, for five years; and the senate, fearing lest he should extort from the people whatever else it attempted to withhold, anticipated them by extending his commission to Gallia Transalpina. Meanwhile Caesar provided against the reversal of his measures by procuring the election of two creatures of his own to the Consulship for the year B.C. 58, viz. Aulus Gabinius, and L. Calpurnius Piso whose daughter Calpurnia he had recently married.

§ 4. But the opposite party had not yet surrendered all hope of subverting the paramount influence of the triumvirate. An attempt to annul the acts of the preceding year was made by the praetors for the

year B.C. 58, C. Memmius[4] and L. Domitius, in conjunction with C. Antistius, tribune of the people: M. Cato made a great outcry about the tyrannical conduct of the three confederates: Cicero finally, after the vain efforts made to detach him from the cause of the *optimates*, although he had taken but little part in politics during the year B.C. 59, was constantly giving expression to his discontent with the wretched condition of public affairs. To obviate these storms and secure from attack the laws and ordinances of Caesar, some of which were threatened with reversal because they had been enacted in violation of the customary forms, it was of primary importance that Cato and Cicero should be got rid of. They were the two most dangerous opponents in the senatorial party; the first, because he made no secret of his conviction as to the nullity of all the Julian laws and was a man to act as he thought, the second, because of his eloquence. The execution of the measures resolved on against these two men was committed to the clever but dissolute Publius Clodius, who commanded the rabble of Rome and was the most likely person to plunge the state, already unsettled, into fresh and still deeper troubles.

§ 5. P. Clodius Pulcher, a member of the ancient and noble family of the Claudii, began his career in B.C. 70 when he served with his brother Appius under their brother-in-law L. Lucullus in the Mithridatic war. Disappointed ambition led him while in Asia into mutinous attempts, which ended

[4] See n. to § 40, l. 30.

in his betaking himself to his other brother-in-law Q. Marcius Rex, proconsul of Cilicia, by whom he was entrusted with the command of his flotilla. Clodius fell into the hands of the pirates, who however released him without ransom through fear of Pompeius. It was on this occasion that Ptolemaeus, the rich king of Cyprus, gave him mortal offence by offering only two talents as his ransom: for which niggardliness he paid dearly, for when Clodius became tribune in B.C. 58, he brought forward a law to deprive him of his kingdom and reduce Cyprus to a Roman province[5]. On his return to Rome in B.C. 65 he arraigned Catilina for extortion (*repetundarum*) in his government of the province of Africa: but Catilina bribed his accuser and judge and escaped.

§ 6. In private life Clodius had already been guilty of all sorts of excesses, and at the close of B.C. 62, the year of his quaestorship, he committed an act of sacrilege, which is especially memorable because it gave rise to that bitter enmity between himself and Cicero, which was fraught with such important consequences to both and to Rome itself. In the prosecution of an intrigue with Caesar's wife Pompeia, he ventured to disguise himself as a dancing-girl and steal into Caesar's official residence in the *Sacra Via*, at the time when the mysteries of the *Bona Dea*, at which the presence of men was strictly forbidden, were being celebrated there; but he was detected in the act[6].

[5] See § 57, Appian B. C. II 23, Strabo XIV 6 § 6.

[6] § 116 *in coetum mulierum pro psaltria adducitur*. Cf. Plutarch Cic. c. 28 λαβὼν ἐσθῆτα καὶ σκευὴν ψαλτρίας.

The senate[7], upon the matter being laid before them, referred it to the pontifical college, who pronounced it an offence against religion and declared that Clodius ought to be put on his trial, and it was therefore resolved to propose a bill (*rogatio*) to the Popular Assembly for regulating the trial. The consuls moved for the appointment of an extraordinary tribunal, in which the *iudices* should be selected by the Praetor himself, and not, as usual, by lot. But the bill was defeated through the influence of the party of Clodius, the senate, on the recommendation of Hortensius, yielding at length to the proposal of the tribune Q. Fufius Calenus that he should be tried by an ordinary jury taken from the three *decuriae iudicum* and not by a special jury selected by the Praetor. Clodius was then arraigned by P. Cornelius Lentulus Crus, but acquitted, by means of bribery and intimidation, by a majority of thirty-one to twenty-five. Cicero had the courage to appear as a witness, asserting that he had seen Clodius in his own house on the very day of the religious ceremony, three hours before he pretended to have been at Interamna (*Terni*) about ninety miles from Rome.

§ 7. Eager to wreak his vengeance upon Cicero, Clodius now sought to arm himself with more formidable power by becoming a tribune of the people. For this purpose it was necessary that he should be adopted into a plebeian family; as he was *sui iuris*, i.e. of full age and not in the power of his father, who was dead, this adoption could only be effected by the

[7] See or. p. Mil. § 13, ep. ad Att. I 12—16.

procedure called *adrogatio* in the *Comitia Curiata* under the presidency of a Pontifex. Repeated attempts were made by the tribune Gaius Herennius to get this brought about, but unsuccessfully. At last Cicero in his speech in defence of Gaius Antonius Hybrida, his colleague in the consulate, happened to give offence to Caesar by some political allusion, and within three hours after the delivery of the speech, Clodius became the adopted son of P. Fonteius and was converted from a patrician into a plebeian. This happened at the end of the year B.C. 59[8].

§ 8. In spite of this unfriendly act, Caesar persevered in his endeavours to conciliate Cicero, whom he had no desire to ruin but only wished to humiliate and deprive of the power of doing mischief in future. He offered him a *libera legatio* and one of his own lieutenancies, which after much hesitation Cicero finally declined and thereby gave great offence to Caesar[9]. He also offered to make him one of the

[8] Cic. or. de dom. sua § 41: *hora fortasse sexta diei questus sum in iudicio, cum C. Antonium collegam meum defenderem, quaedam de re publica quae mihi visa sunt ad illius miseri causam pertinere. Haec homines improbi ad quosdam viros fortis longe aliter atque a me dicta erant detulerunt. Hora nona illo ipso die tu es adoptatus.* Hence the allusion in or. p. Sest. § 16 *legum sacratarum catenis solvit subito;* Long *Rom. Rep.* III p. 418 f.

[9] ep. ad Att. II 18, 3: *a Caesare valde liberaliter invitor in legationem illam, sibi ut sim legatus, atque etiam libera legatio voti causa datur:* or. de prov. cons. § 41 *consul ille egit eas res, quarum me participem esse voluit: quibus ego si minus adsentiebar, tamen illius mihi iudicium gratum esse debuit. Me ille ut quinqueviratum acciperem rogavit: me in tribus sibi*

five commissioners[10] (*quinque viri*) for carrying out the agrarian law which was passed in that year, but this offer also he refused.

§ 9. With the assistance of the regents, Clodius succeeded in obtaining the tribunate and entered upon his office on the 10th of December B.C. 59. On the last day of this year he treated the consul M. Bibulus in the same manner as the tribune Metellus had treated Cicero on a former occasion when laying down his office, by preventing him from addressing the people when he came forward to take the usual oath that he had done his duty and with the intention of saying something on the state of public affairs. He then proceeded to execute his projected plan of revenge against Cicero, strengthened by a party which he had formed for himself among the people, the knights and even the senate itself, for Cicero had made himself many enemies by his arrogance and by the unbridled license of his tongue and love of satire, and was generally more feared than loved[11].

§ 10. To attain this object and to conciliate the good will of different parties Clodius had enacted several laws which caused them one and all to regard him in the light of a benefactor. By the abrogation of the *lex Aelia Fufia*[12] he removed the check upon tumultuous assemblies of the people, and so facilitated the carrying of future measures; by a *lex frumentaria*[13] for the relief of the poor citizens of Rome he won the favour of the people; by his *lex censoria*[14], which did not wholly abolish but only circumscribed the power of the Censors, he gratified many members of senatorial and equestrian standing; finally, by the restoration of the old guilds and street-clubs (*collegia compitalicia*) which had been done away with, and the creation of new ones which might easily assume a political character, he formed for himself a sort of praetorian cohort, which enabled him to carry by force measures which he failed to secure by legal means.

eminentissimis consularibus esse voluit: mihi legationem, quam nollem, quanto cum honore vellem detulit. Quae ego omnia non ingrato animo sed obstinatione quadam sententiae repudiavi.

[10] ep. ad Att. II 19, 4.

[11] Dio Cass. 38, 12, 4 ἐλυπεῖτο αὐτὸν μᾶλλον, ὅτε καὶ διὰ φόβου μᾶλλον ἢ δι' εὔνοιαν ἰσχύοντα, καθυφίετο, Plutarch (Cic. c. 24—28) has given the same testimony about his vanity and unruly tongue and the enemies that he made by his sarcastic remarks.

§ 11. As soon as the artful agitator had thus prepared the way for his attack on Cicero, he came forward with a rogation to this effect, that whoever had caused a Roman burgess to be put to death without a regular trial and formal sentence should be punished with banishment[15]. The bill, though it did not expressly name Cicero, was clearly aimed at him. For although it was in fact a condemnation of the whole Senate, inasmuch as they in B.C. 63 had given the consuls extraordinary power, and were guilty of

[12] See n. on c. 15.

[13] § 55.

[14] § 55; Intr. to or. p. Plancio p. XXXV.

[15] *ut qui civem Romanum indemnatum interemisset, ei aqua et igni interdiceretur* Vell. Paterc. II 45, 1: see also Dio Cassius 38 c. 14 ff.

the judicial murder of the 5th December B.C. 63, still it was Cicero who had denounced the conspirators in the senate, voted for their condemnation and delivered them to execution; and therefore he was responsible for the fatal decree.

§ 12 As soon as he perceived that the rogation was primarily aimed against himself, instead of assuming the bold front of conscious innocence, Cicero at once took guilt to himself and without awaiting the progress of events, while it was yet uncertain whether the bill would be carried or not, assumed the garb of one accused, put off his senatorial dress and went about in that of a knight[16], soliciting the support and sympathy of all who had influence, both friends and enemies. He was the more hopeful of success inasmuch as there was no lack of strong demonstrations in his favour[17].

§ 13. The Equites assembled on the Capitol and some of them went as deputies to the Consuls and the senate to beg their interposition in Cicero's favour; and the deputation was joined by the senators Q. Hortensius and Gaius Curio. L. Ninnius, the tribune who all along supported Cicero, had urged the people to put on mourning, as though a great calamity had befallen the state; the senate also passed a resolution for doing the same as the rest of the city, and did not resume their ordinary dress until forbidden by a special edict of both the consuls to comply with their own resolution.

[16] See n. on § 26. [17] Dion Cassius 38, 16.

§ 14. But the opposite party adopted violent measures against these proceedings; Clodius would not allow Ninnius to address the people on behalf of Cicero; Gabinius, the consul, forbade the deputation from the Equites to approach the senate, and even banished one of them, L. Lamia, who had shown particular attachment to Cicero, two hundred miles from the city. He abused Hortensius and Curio for having been present at the gathering of the Equites on the Capitol, and taken part in the deputation. Clodius went still further; he made the delegates appear at the assembly of the people on the pretence that he would allow them to speak, and exposed them when there to rough usage at the hands of his hired gang[18].

§ 15. Some days afterwards Clodius held a meeting of the people[19] outside the Pomerium in the Circus Flaminius, in order to obtain the opinion of Caesar who was *cum imperio*. The consul Piso was also there. He had been prevented by indisposition from taking part in the proceedings of the last few days, after Cicero, against whom he had hitherto shown no hostility, had with indignant disdain rejected his advice to leave Rome. Being asked by Clodius what he thought of the proposed rogation, Piso

[18] Cic. says § 27 *deprecatores salutis meae operarum suarum gladiis et lapidibus obiecit:* cf. also or. de domo sua § 54 *eos, qui in conventu virorum bonorum verba de salute mea fecerant, adesse iussisti, eorumque advocationem manibus ferro lapidibus discussisti, tum profecto ostendisti vim tibi maxime displicere;* Dion Cassius says 38, 16 *εἰς τὸ πλῆθος εἰσαγαγὼν πληγαῖς διά τινων προπαρεσκευασμένων αὐτοὺν συνέκοψεν.*

[19] Dio Cass. 38 c. 16 ff.

answered that no such savage or cruel measure pleased him, in which indirect reply he seems to have referred to the punishment of Lentulus and the other conspirators. Gabinius was asked the same question and his answer was still more impetuous, for he declared that it was revolting to him not only that any one should put citizens to death without trial and judgment, but that he should bring disgrace upon the senate and the Equites. When the tribune appealed to Caesar also to declare his opinion, he condemned the illegal proceedings against Lentulus and his associates, but did not approve of the penalty proposed by the bill of Clodius for what had been done. He said that his opinion about the execution of the conspirators was known to all (he had voted against their capital punishment); still it appeared to him an irregular proceeding that such a law as that of Clodius should be enacted for acts now past.

§ 16. Clodius was satisfied with this indirect recommendation. The most powerful member of the triumvirate had publicly pronounced the proceedings against Lentulus to be a violation of the laws. Crassus, through his son Publius, made some show of aiding Cicero, but he himself went with the crowd. Pompeius indeed did promise his help to Cicero; but when it came to action, he made first one and then another pretext, kept out of the way and left him in the lurch. So deserted and betrayed on all sides Cicero became alarmed, and guided chiefly by the advice of Cato and Hortensius, who feared that a civil war might arise from an attempt at armed resistance, determined to leave Rome, although he had not yet been impeached.

§ 17. On the very same day on which he fled from Rome, the rogation of Clodius received the sanction of the people, under which the consuls Piso and Gabinius received the reward of their services, the former the province of Macedonia with Achaia, the latter the rich province of Asia, in defiance of the *lex Sempronia*[20]. On this day also Clodius presented to the Comitia a *privilegium* in the nature of a bill of pains and penalties directed against Cicero, by which bill he was interdicted the use of fire and water[21]. The original bill named no limits to the interdict, but this was corrected before the bill was enacted and the interdict was limited to 400 miles from Rome[22]. Within these limits Cicero could not remain, nor could any man harbour him in his house. It was in fact banishment from Italy. Not a night was suffered to elapse after the decree was passed,

[20] or. p. Sest. § 53, or. de dom. sua § 55 *quid? cum Gabinio Syria dabatur, Macedonia Pisoni, utrique infinitum imperium, ingens pecunia, ne tum quidem vis erat?* By a new rogation Gabinius received at a later period permission to exchange Cilicia for the more lucrative province of Syria; see n. to § 55.

[21] de domo sua § 47.

[22] ep. ad Att. III 4. There is no evidence that the former bill of Clodius, which was directed against any person who had put or should put to death a Roman citizen without trial, was ever enacted. The enactment would have been useless, for the object of Clodius was only to drive Cicero away and that was effected by the second bill which contained his name and no other. Long *Rom. Rep.* III p. 457.

before Cicero's property was seized by his unrelenting enemies: his house on the Palatine was reduced to ashes and on part of its site a temple to the goddess Libertas was consecrated. The villa at Tusculum, his favourite retreat on which he had spent so much, was plundered, and the furniture and ornaments were carried off to the neighbouring villa of the consul Gabinius. Cicero even says that his children were sought for the purpose of being murdered[23]. There was a clause in the bill to prevent either the senate or the people from repealing the law[24].

§ 18. In the same year, soon after Cicero's exile, Marcus Cato also was removed from Rome, his proposed honourable mission, as quaestor with the rank of praetor, to Cyprus having been confirmed by the popular vote. The object was to annex that kingdom, which as well as Egypt had fallen to the Romans by the testament of Alexander II but had not like Egypt bought off the Roman annexation, and to strip its king Ptolemaeus of the crown-treasure and bring it to Rome. Cato was at the same time commissioned to restore certain exiles to Byzantium and to settle the complicated municipal affairs of that city, for it was Clodius' object to keep him from Rome as long as he could during his tribunate[25].

[23] p. Sest. § 54.

[24] ep. ad Att. III 15, 6. This prohibitive clause was to the effect that no motion should be made and nothing said about Cicero's restoration.

[25] See cc. 28 and 29: and ep. Mommsen *Rom. Hist.* Vol. IV p. 50, p. 160, p. 217 f.

§ 19. Clodius had worked in the interest of the three regents only so long as his desire of revenge against his enemies remained unsatisfied. When these had been removed out of his way, he employed the very power, which he owed to the confederates, as a weapon of offence against them. He had the hardihood to engage in a dispute with the regent of the commonwealth on a question of little moment; and the variance soon became a formal feud, which converted Clodius into an implacable foe. This determined Pompeius to form a closer union with the senate and to agitate for the recall of his arch-enemy Cicero[26]. Caesar at first would not hear of it, but he gave his consent at last, when he found that the turbulent tribune at the close of his year of office had the presumption even to declare the Julian laws null and void because of their informality[27].

§ 20. But through the vehement opposition of the party of Clodius and the street fights in which he

[26] Dion 39, 6 says of B.C. 57: *ταῦτα μὲν ἐν τῇ Γαλατίᾳ ἐγένετο. Πομπήιος δὲ ἐν τούτῳ τὴν κάθοδον τῷ Κικέρωνι ψηφισθῆναι διεπράξατο. ὃν γὰρ διὰ τοῦ Κλωδίου ἐξελήλακει, τοῦτον ἐπ' αὐτὸν ἐκεῖνον ἀνεπήγαγεν· οὕτω που τὸ ἀνθρώπινον δι' ὀλίγου τε ἔστιν ὅτε μεταβάλλεται, καὶ ἀφ' ὧν ὠφεληθήσεσθαί τινες ἢ καὶ βλαβήσεσθαι νομίζουσι, τὰ ἐναντιώτατα ἀντιλαμβάνουσιν.* Cp. p. Sest. § 67 and also or. de domo sua § 66.

[27] or. de domo sua § 40: *tua denique omnis actio posterioribus mensibus fuit, omnia, quae C. Caesar egisset, quod contra auspicia essent acta, per senatum rescindi oportere: quod si fieret, dicebas te tuis umeris me custodem urbis in urbem relaturum.* Still Quintus Cicero, before Caesar gave his consent, was obliged to give some assurances in the name of his brother of his political doings, on which subject several intimations are found in his letters, Mommsen *Rom. Hist.* Vol. IV p. 312.

engaged with his armed battalions of gladiatorial slaves and ruffians the matter was put off until the second half of the following year. The first proposal of the tribune L. Ninnius on June 1 B.C. 58[28] for the exile's recall, which passed the senate, as well as that put forward by the eight tribunes on the 29th of October[29], was nullified by the opposition of the tribune Aelius Ligus. But on the 1st of January B.C. 57 the consul P. Cornelius Lentulus proposed Cicero's restoration in the senate without any opposition from his colleague Q. Caecilius Metellus, who was no longer hostile to Cicero but had at last become reconciled to him chiefly out of regard to Pompeius[30].

§ 21. All the more determined were the measures of Clodius in opposition, and now that he was a private man, he sought to make up for his loss of power by the open employment of arms. The resolution of the 1st of January[31] was hindered by delay and fraud, and on the 25th of the same month, the great day which was fixed for the decision of the popular assembly about the case, the tribune Q. Fabricius, who had undertaken to propose the bill (*rogatio*), occupied the

[28] § 68. Cf. Introd. to or. p. Plancio p. XII.

[29] § 69 f.

[30] Dion Cassius 38, 7 states expressly that he had declared himself on Cicero's side for the first time in the course of this year. He remarks that the contest between the two hostile parties had been all the more stubborn in B.C. 57, because both had a Consul at their head: *οὗτοί τε οὖν ἐπὶ πλέον ἢ πρίν, ἅτε καὶ ἡγεμόνας τοὺς ὑπάτους ἔχοντες, καὶ οἱ ἄλλοι οἱ ἐν τῇ πόλει διαστάντες πρὸς ἑκατέρους ἐθορύβουν.*

[31] § 72 ff.

place of meeting before daylight[32]: but his opponents were there still earlier with armed men and slaves and some gladiators[33] belonging to the praetor Appius Clodius, and forming the body-guard of his brother Sextus, by help of whom he managed to inspire terror everywhere. Fabricius was attacked; some of his party were killed and many were wounded; amongst others Cicero's brother Quintus.

§ 22. On a subsequent occasion P. Sestius as tribune of the plebs appeared in the temple of Castor to stop some proceedings of the consul Metellus (*obnuntiavit consuli*), which he could legally do. Trusting to the sanctity of his office he had come unprotected; but Clodius and his band taking advantage of the opportunity attacked the tribune with swords, pieces of the wooden partitions in the Forum and clubs; and he fell with more than twenty wounds under the blows of his enemies and only escaped with his life because they thought he was killed[34]. It was now time for Sestius to look after his own safety, and it was not until he had suffered this violence, that he protected himself by keeping a force which enabled him to resist any attack[35]; his colleague also T. Annius Milo collected a band of gladiators; it was the preponderance which these bands obtained at last over the hired gangs of Clodius, which made the restoration of Cicero possible[36]. A resolution of the senate

[32] c. 35.

[33] Dion Cass. 39, 7.

[34] c. 37.

[35] cc. 38, 39, 42.

[36] Velleius 2, 45, Dion Cassius 39 c. 8 *καὶ τέλος μονομάχους τινὰς καὶ αὐτὸς* (Milo) *καὶ ἄλλους τῶν τὰ αὐτὰ οἱ βουλο-*

which was carried with only one dissentient voice, was brought before the burgesses by the two consuls and confirmed by them in the *comitia centuriata* on the 4th of August, B.C. 57.

§ 23. The city continued to be disturbed by riots even after the return of Cicero. On the twelfth of November Clodius attempted to take possession of and burn Milo's house in the Germalus, and Milo was compelled to bring an action against him for disturbance of the peace under the *lex Plautia de vi*. Clodius made vigorous efforts to obtain the aedileship, in the hope of eluding by this means the process with which he was threatened. He could not be brought to trial before the election to the aedileship was decided, on the ground that the quaestors[37], whose duty it was to determine the *iudices* by lot, were not yet appointed, and the consul Metellus Nepos forbade the praetor to admit any prosecution before the jurors were appointed. Now, as the election of aediles preceded that of the quaestors, Milo saw himself completely powerless, until it could be held, for the punishment of Clodius or the protection of Clodius'

μένων ἀθρούσας ἐς χεῖρας τῷ Κλωδίῳ συνεχῶς ᾔει καὶ σφαγαὶ κατὰ πᾶσαν ὡς εἰπεῖν τὴν πόλιν ἐγίγνοντο. Ὁ οὖν Νέπως φοβηθεὶς πρός τε τοῦ συνάρχοντος καὶ πρὸς τοῦ Πομπηίου τῶν τε ἄλλων τῶν πρώτων μετεβάλετο καὶ οὕτως ἥ τε γερουσία κατελθεῖν τὸν Κικέρωνα τοῦ Σπινθῆρος ἐσηγησαμένου προεβούλευσε, καὶ ὁ δῆμος ἀμφοτέρων τῶν ὑπάτων ἐσενεγκόντων ἐψηφίσατο. Ἀντέλεγε μὲν γὰρ πρὸς αὐτοὺς Κλώδιος, ἀλλ' ἐκείνῳ τε ὁ Μίλων ἀντέκειτο ὥστε μηδὲν βίαιον δρᾶσαι καὶ τῷ νόμῳ ἄλλοι τε καὶ ὁ Πομπήιος συνεῖπον, ὥστε πολὺ κρείττους αὐτοὺς γενέσθαι.

[37] Dion Cass. 39. 7 quoted in note on § 89 l. 18.

enemies: so he got his men together and prepared to repel force with force.

§ 24. Clodius was still powerful enough through the influence of his friends to carry his election as curule Aedile, but not until the twenty-second of January B.C. 56, owing to the long postponement of the comitia in the consulate of Cn. Cornelius Lentulus Marcellinus and L. Marcius Philippus. The first thing that he did was to commence a prosecution before the people against Milo, whose tribunate had ended on the tenth of December B.C. 57, for disturbing the public peace (*de vi*[38], *quod gladiatores adhibuisset, ut rogationem posset de Cicerone perferre*[39]), i.e. he laid a charge against him for committing the very same offence which he was himself guilty of, and for which he had been prosecuted by Milo. This he did, not because he hoped to bring Milo to justice, but because he wished to furnish his opponents with

[38] *diem dixit et accusavit de vi Milonem*, § 95. The reason why he brought this charge before the popular assembly is probably because on the 2nd of February the *iudices* had not yet been named in consequence of the long postponement of the election of magistrates. This will explain a passage in Dion who remarks 39, 19 ὁ γὰρ Κλώδιος ὅπως ἐπὶ πλεῖον ἀποροίη (Pompeius) οὐκ εἴα τὸν φρατριατικὸν νόμον ἐσαχθῆναι (i.e. he would not allow the *lex curiata de imperio* to be passed, without which no court of justice could be constituted, and which was essential because it conferred the *imperium* and the *auspicia* (Liv. v 52, 15, Cic. de leg. agr. II § 30): πρὶν γὰρ ἐκεῖνον τεθῆναι, οὔτ' ἄλλο τι τῶν σπουδαίων ἐν τῷ κοινῷ πραχθῆναι οὔτε δίκην οὐδεμίαν ἐσαχθῆναι ἐξῆν.

[39] Schol. Bob. ad or. p. Mil. § 40.

[redacted]

something to do, and so to find further occasion for annoying their supporters and friends.

§ 25. The charges which were brought against P. Sestius on the 10th of February B.C. 56, at the instigation of Clodius[40], were equally malicious. He was charged with bribery (*de ambitu*) by Gnaeus Nerius, and on the same day by one M. Tullius Albinovanus with a breach of the peace (*de vi*) under the *lex Plautia* of B.C. 89, because he had gone about as tribune with armed bands disturbing the public tranquillity[41]. Of the first charge nothing further is known; Cicero is concerned only with the second. Though there had been some little unpleasantness between himself and Sestius, who seems to have been a man of sullen and unpopular manners and fancied himself neglected or not sufficiently requited by Cicero for the part he took in his restoration, Cicero, having heard of his indisposition, went in person to his house and offered him his services[42]. On the following day, February 11th, he seized the opportunity to predispose the public favourably towards Sestius with a view to

[40] or. in Vatin. § 41.

[41] p. Sest. § 78 *hic iam de ipso accusatore quaero, qui P. Sestium queritur cum multitudine in tribunatu et cum praesidio magno fuisse*, and § 84 *homines, inquit, emisti, coegisti, parasti.*

[42] ep. ad Quint. fr. II 3, 5; *a. d.* IIII *Id. Febr. Sestius ab indice Cn. Nerio Papinia de ambitu est postulatus, et eodem die a quodam M. Tullio de vi. Is erat aeger. Domum, ut debuimus, ad eum statim venimus eique nos totos tradidimus; idque fecimus praeter hominum opinionem, qui nos ei iure suscensere putabant, ut humanissimi gratissimique et ipsi et omnibus videremur.*

his subsequent defence of him, in a speech (no longer extant) on behalf of L. Calpurnius Bestia, who was accused of electoral corruption when a candidate for the praetorship in the preceding year[43]. Cicero extolled his services in protecting his client, when he was attacked by the followers of Clodius in a street conflict and wounded in the temple of Castor.

§ 26. It is uncertain whether the trial of Sestius took place before M. Aemilius Scaurus, to whom Cicero appeals twice (§ 101 and § 116), in the course of his speech. The jury was composed of senators, knights and *tribuni aerarii*, in equal proportions according to the *lex Aurelia iudiciaria* passed by Cotta in B.C. 70. The principal witnesses against the defendant were L. Gellius Publicola, a stepson of L. Marcius Philippus consul B.C. 91, and P. Vatinius[44], the notorious tribune of B.C. 59, one of Caesar's tools, against whose credibility as a witness Cicero delivered a smart invective in his extant speech, *in Vatinium testem interrogatio*, which formed an interlude in the process. Pompeius gave his *laudatio* of the accused as did also a deputation from Capua[45]. The case was defended by the two first orators of the

[43] ibid. § 6; *a. d.* III *id. Febr. dixi pro Bestia de ambitu apud praetorem Cn. Domitium in foro medio maximo conventu, incidique in eum locum in dicendo, cum Sestius multis in templo Castoris volneribus acceptis subsidio Bestiae servatus esset. Hic προφκονομησάμην quiddam εὐκαίρως de iis, quae in Sestium apparabantur crimina, et eum ornavi veris laudibus, magno assensu omnium.*

[44] or. p. Sest. § 110 ff., and § 132 ff.

[45] ep. ad fam. I 9, 7.

day Q. Hortensius and M. T. Cicero, and also by M. Crassus and L. Licinius Calvus[46]. § 27. According to his usual custom, where other advocates were employed with him, Cicero spoke last[47], but he did not concern himself with any charges in particular; these had been dealt with already by Hortensius[48] and others. Cicero's object is rather to present an outline of the life and character of his client[49], the most important period of which was his tribunate, in such a manner as to bring before the notice of the court every circumstance the consideration of which might influence their judgment.

§ 28. In this point of view the historical survey of the career of Sestius forms the gist of the whole speech. But, as it was necessary to have some acquaintance with the riotous and turbulent proceedings of the previous year B.C. 57, in order to be able to form a correct estimate of the claims to his country's gratitude which Sestius had established in his tribunate, Cicero launches into a digression (from § 15 onwards) concerning his services, in order that he might

[46] Arg. Schol. Bob. p. 292 ed. Orelli *causam plurimi defenderunt, in quis fuit Q. Hortensius, M. Crassus, L. Licinius Calvus, partibus inter se distributis, quas in agendo tuerentur.*

[47] § 8. Cf. Intr. to or. p. Planc. p. xx, Reid Intr. to or. p. Sulla p. 35.

[48] § 8, § 5 *singulis criminibus ceteri responderunt.*

[49] § 5 *dicam ego de omni statu Sestii... contendamque, si modo id consequi potero, ut in hac confusa atque universa defensione nihil a me, quod ad vestram quaestionem, nihil quod ad rem, nihil quod ad rem publicam pertineat, praetermissum esse videatur.*

at the same time introduce the narrative of his own banishment and vindication of his own behaviour, which had been stigmatized by some as cowardly. He returns in § 71 to his proper subject which is continued unto § 95. § 29. But before the conclusion of his speech (*peroratio* § 144), the orator in c. 45 ff. introduces a still longer episode, containing a kind of political dissertation on the nature and position of the 'caste' (*natio*) of *optimates* (to use an expression of Vatinius), on which some sneering reflections had been made by the prosecutor, and he glorifies them as the true friends of the people and protectors of their country, in contrast with the selfish and tyrannical demagogues (*populares*). With this episode the orator very adroitly interweaves an account of his own glorious restoration, in answer to the remarks which the prosecutor had made about it and the way in which it had been accomplished, and thus an admirable finish is given to the preceding description of his exile. The episode, it is true, has the appearance of being brought in somewhat violently and spun out to a disproportionate extent, but this defect, if it is a defect, may be excused in consideration of the orator's brilliant description. It may be assumed also that this part of the speech was not fully elaborated until after delivery.

§ 30. The trial lasted with interruptions until the fourteenth of March, when Sestius was acquitted as we learn from a letter of M. T. Cicero to his brother Quintus II 4: *Sestius noster absolutus est pridie Id. Mart. et, quod vehementer interfuit rei publicae nullam*

videri in eius modi causa dissensionem esse, omnibus sententiis absolutus est. Illud, quod tibi curae saepe esse intellexeram, ne cui iniquo relinqueremus vituperandi locum, qui nos ingratos esse diceret, nisi illius perversitatem quibusdam in rebus quam humanissime ferremus, scito hoc nos in eo iudicio consecutos esse, ut omnium gratissimi iudicaremur. Nam defendendo moroso homini cumulatissime satis fecimus, et quod ille maxime cupiebat, Vatinium, a quo palam oppugnabatur, arbitratu nostro concidimus, dis hominibusque plaudentibus. Quin etiam Paulus noster, cum testis productus esset in Sestium, confirmavit se nomen Vatinii delaturum, si Macer Licinius cunctaretur; et Macer ab Sestii subselliis surrexit ac se illi non defuturum adfirmavit. Quid quaeris? homo petulans et audax valde perturbatus debilitatusque discessit.

M. TULLI CICERONIS

PRO P. SESTIO ORATIO

AD IUDICES.

I. Si quis antea, iudices, mirabatur quid esset quod 1
pro tantis opibus rei publicae tantaque dignitate imperii
nequaquam satis multi cives forti et magno animo
invenirentur, qui auderent se et salutem suam in dis-
crimen offerre pro statu civitatis et pro communi liber-
tate, is[ex]hoc tempore mirotur potius, . . quem bonum
et fortem civem viderit, quam si quem aut timidum aut
sibi potius quam rei publicae consulentem. Nam ut
omittatis de unius cuiusque casu cogitando recordari,
uno aspectu intueri potestis eos, qui cum senatu, cum
bonis omnibus rem publicam adflictam excitarint et
latrocinio domestico liberarint, maestos, sordidatos, reos
de capite, de fama, de civitate, de fortunis, de liberis
dimicantis; eos autem, qui omnia divina et humana
violarint vexarint, perturbarint everterint, non solum
alacris laetosque volitare, sed etiam fortissimis atque
optimis civibus periculum moliri, de se nihil timere.
In quo cum multa sunt indigna, tum nihil minus est 2
ferendum, quam quod iam non per latrones suos, non
per homines egestate et scelere perditos, sed per vos
nobis, per optimos viros optimis civibus periculum
inferre conantur, et, quos lapidibus, quos ferro, quos

facibus, quos vi manu copiis delere non potuerunt, hos vestra auctoritate, vestra religione, vestris sententiis se oppressuros arbitrantur. Ego autem, iudices, *quoniam* qua voce mihi in agendis gratiis commemorandoque eorum, qui de me optime meriti sunt, beneficio esse utendum putabam, ea nunc uti cogor in eorum periculis depellendis, iis potissimum vox haec serviat, quorum opera et mihi et vobis et populo Romano restituta est.

3 II. Et quamquam a Q. Hortensio, clarissimo viro atque eloquentissimo, causa est P. Sesti perorata nihilque ab eo praetermissum est, quod aut pro re publica conquerendum fuit aut pro reo disputandum, tamen adgrediar ad dicendum, ne mea propugnatio ei potissimum defuisse videatur, per quem est perfectum, ne ceteris civibus deesset. Atque ego sic statuo, iudices, a me in hac causa atque hoc extremo dicendi loco pietatis potius quam defensionis, querellae quam eloquentiae, doloris quam ingenii partis esse susceptas.

4 Itaque, si aut acrius egero aut liberius, quam qui ante me dixerunt, peto a vobis ut tantum orationi meae concedatis, quantum et pio dolori et iustae iracundiae concedendum putetis. Nam neque officio coniunctior dolor ullus esse potest quam hic meus susceptus ex hominis de me optime meriti periculo, neque iracundia magis ulla laudanda est quam mea inflammata eorum scelere, qui cum omnibus meae salutis defensoribus

5 bellum esse sibi gerendum iudicaverunt. Sed quoniam singulis criminibus ceteri respondebunt, dicam ego de omni statu P. Sesti, de genere vitae, de natura, de moribus, de incredibili amore in bonos, de studio conservandae salutis communis atque otii contendamque, si modo id consequi potero, ut in hac confusa atque

universa defensione nihil a me quod ad vestram quaestionem, nihil quod ad reum, nihil quod ad rem publicam pertineat, praetermissum esse videatur; et quoniam in gravissimis temporibus civitatis atque in ruinis eversae atque adflictae rei publicae P. Sesti tribunatus est a Fortuna ipsa collocatus, non adgrediar ad illa maxima atque amplissima prius quam docuero quibus initiis ac fundamentis haec tantae summis in rebus laudes excitatae sint.

6 III. Parente P. Sestius natus est, iudices, homine, ut plerique meministis, et sapiente et sancto et severo: qui cum tribunus plebis primus inter homines nobilissimos temporibus optimis factus esset, reliquis honoribus non tam uti voluit quam dignus videri. Eo auctore duxit honestissimi et spectatissimi viri, C. Albini, filiam, ex qua hic est puer et nupta iam filia. Duobus his gravissimae antiquitatis viris sic probatus fuit, ut utrique eorum et carus maxime et iucundus esset. Ademit Albino soceri nomen mors filiae, sed caritatem illius necessitudinis et benevolentiam non ademit. Hodie sic hunc diligit, ut vos facillime potestis ex hac vel adsiduitate eius vel sollicitudine et molestia iudicare. Duxit *iterum* uxorem patre vivo optimi et 7 calamitosissimi viri filiam, L. Scipionis. Clara in hoc P. Sesti pietas exstitit et omnibus grata, quod et Massiliam statim profectus est, ut socerum videre consolarique posset fluctibus rei publicae expulsum, in alienis terris iacentem, quem in maiorum suorum vestigiis stare oportebat, et ad eum filiam eius adduxit, ut ille insperato aspectu complexuque si non omnem, at aliquam partem maeroris sui deponeret, et maximis praeterea adsiduisque officiis et illius aerum-

nam, quoad vixit, et filiae solitudinem sustentavit. Possum multa dicere de liberalitate, de domesticis officiis, de tribunatu militari, de provinciali in eo magistratu abstinentia; sed mihi ante oculos obversatur rei publicae dignitas, quae me ad sese rapit, haec 8 minora relinquere hortatur. Quaestor hic C. Antoni, collegae mei, iudices, fuit sorte, sed societate consiliorum meus. Impedior non nullius officii, ut ego interpretor, religione, quo minus exponam, quam multa P. Sestius, cum esset cum collega meo, senserit, ad me detulerit, quanto ante providerit. Atque ego de Antonio nihil dico praeter unum, numquam illum illo summo timore ac periculo civitatis neque communem metum omnium nec propriam non nullorum de ipso suspicionem aut infitiando tollere aut dissimulando sedare voluisse. In quo collega sustinendo atque moderando si meam in illum indulgentiam coniunctam cum summa custodia rei publicae laudare vere solebatis, par prope laus P. Sesti esse debet, qui ita suum consulem observavit, ut et illi quaestor bonus et bonis omnibus optimus civis videretur.

9 IV. Idem, cum illa coniuratio ex latebris atque ex tenebris erupisset palamque armata volitaret, venit cum exercitu Capuam, quam urbem propter plurimas belli opportunitates ab illa impia et scelerata manu temptari suspicabamur: C. Mevulanum, tribunum militum Antoni, Capua praecipitem eiecit, hominem perditum et non obscure Pisauri et in aliis agri Gallici partibus in illa coniuratione versatum. Idemque C. Marcellum, cum is non Capuam solum venisset, verum etiam se quasi armorum studio in maximam familiam coniecisset, exterminandum ex illa urbe curavit. Qua

de causa et tum conventus ille Capuae, qui propter salutem illius urbis consulatu conservatam meo me unum patronum adoptavit, huic apud me P. Sestio maximas gratias egit, et hoc tempore eidem homines nomine commutato coloni decurionesque, fortissimi atque optimi viri, beneficium P. Sesti testimonio declarant, periculum decreto suo deprecantur. Recita, quaeso, L. Sesti, quid decreverint Capuae decuriones, ut iam puerilis tua vox possit aliquid significare inimicis vestris, quidnam, cum se conroborarit, effectura esse videatur. DECURIONUM DECRETA. Non recito decretum officio aliquo expressum vicinitatis aut clientelae aut hospitii publici aut ambitionis aut commendationis gratia, sed recito memoriam perfuncti periculi, praedicationem amplissimi beneficii, vocem officii praesentis, testimonium praeteriti temporis. Atque illis temporibus 11 isdem, cum iam Capuam metu Sestius liberasset, urbem senatus atque omnes boni deprehensis atque oppressis domesticis hostibus me duce ex periculis maximis extraxissent, ego litteris P. Sestium Capua arcessivi cum illo exercitu, quem tum secum habebat. Quibus hic litteris lectis ad urbem confestim incredibili celeritate advolavit. Atque ut illius temporis atrocitatem recordari possitis, audite litteras et vestram memoriam ad timoris praeteriti cogitationem excitate. LITTERAE CICERONIS CONSULIS.

V. Hoc adventu P. Sesti tribunorum plebis novorum, qui tum extremis diebus consulatus mei res eas, quas gesseram, vexare cupiebant, reliquaeque coniurationis impetus et conatus sunt retardati. Ac postea- 12 quam est intellectum, *M.* Catone tribuno plebis, fortissimo atque optimo civi, rem publicam defendente, por

se ipsum senatum populumque Romanum sine militum praesidio tueri facile maiestate sua dignitatem eorum, qui salutem communem periculo suo defendissent, Sestius cum illo exercitu summa celeritate C. Antonium consecutus *est*. Hic ego quid praedicem, quibus hic rebus consulem quaestor ad rem gerendam excitarit, quos stimulos admoverit homini studioso fortasse victoriae, sed tamen nimium communem Martem belli casumque metuenti? Longum est ea dicere, sed hoc breve dicam: Si M. Petrei non excellens animus et amor rei publicae, non praestans in re publica virtus, non summa auctoritas apud milites, non mirificus usus in re militari exstitisset, neque adiutor ei P. Sestius ad excitandum Antonium, cohortandum, accusandum, impellendum fuisset, datus illo in bello esset hiemi locus neque umquam Catilina, cum e pruina Appennini atque e nivibus illis emersisset atque aestatem integram nanctus Italiae callis et pastorum stabula praeoccupare coepisset, sine multo sanguine ac sine totius Italiae
12 vastitate miserrima concidisset. Hunc igitur animum attulit ad tribunatum P. Sestius, ut quaesturam Macedoniae relinquam et aliquando ad haec propiora veniam. Quamquam non est omittenda singularis illa integritas provincialis, cuius ego nuper in Macedonia vidi vestigia non pressa leviter ad exigui praedicationem temporis, sed fixa ad memoriam illius provinciae sempiternam; —verum haec ita praetercamus, ut tamen intuentes et respectantes relinquamus: ad tribunatum, qui ipse ad sese iam dudum vocat et quodam modo absorbet orationem meam, contento studio cursuque veniamus.

14 VI. De quo quidem tribunatu ita dictum est a

Q. Hortensio, ut eius oratio non defensionem modo videretur criminum continere, sed etiam memoria dignam iuventuti rei publicae capessendae auctoritatem disciplinamque praescribere. Sed tamen, quoniam tribunatus totus P. Sesti nihil aliud nisi meum nomen causamque sustinuit, necessario mihi de isdem rebus esse arbitror si non subtilius disputandum, at certe dolentius deplorandum. Qua in oratione si asperius in quosdam homines invehi vellem, quis non conceret ut eos, quorum sceleris furore violatus essem, vocis libertate perstringerem? Sed agam moderate et huius potius temporis serviam quam dolori meo: si qui occulte a salute nostra dissentiunt, lateant; si qui fecerunt aliquid aliquando atque eidem nunc tacent et quiescunt, nos quoque simus obliti; si qui se offerunt, insectantur, quoad ferri poterunt, perferemus, neque quemquam offendet oratio mea, nisi qui se ita obtulerit, ut in eum non invasisse, sed incucurrisse videamur.

Sed necesse est, ante quam de tribunatu P. Sesti 15
dicere incipiam, me totum superioris anni rei publicae naufragium exponere, in quo colligendo ac reficienda saluto communi omnia reperientur P. Sesti facta, dicta, consilia versata.

VII. † Fuerat ille annus iam in re publica, iudices, cum in magno motu et multorum timore intentus *est* arcus in me unum, sicut vulgo ignari rerum loquebantur, re quidem in universam rem publicam, traductione ad plebem furibundi hominis ac perditi, mihi irati, sed multo acrius otii et communis salutis inimici. Hunc vir clarissimus mihique multis repugnantibus amicissimus, Cn. Pompeius, omni cautione, foedere, exsecratione devinxerat nihil in tribunatu contra me

esse facturum: quod ille nefarius, ex omnium scelerum colluvione natus, parum se foedus violaturum arbitratus est, nisi ipsum cautorem alieni periculi suis
16 propriis periculis terruisset. Hanc taetram immanemque beluam vinctam auspiciis, alligatam more maiorum, constrictam legum sacratarum catenis solvit subito lege curiata, consul, vel, ut ego arbitror, exoratus vel, ut non nemo putabat, mihi iratus, ignarus quidem certe et imprudens impendentium tantorum scelerum et malorum. Qui tribunus plebis felix in evertenda re publica fuit, nullis suis nervis—qui enim in eius modi vita nervi esse potuerunt hominis fraternis flagitiis, sororiis stupris, omni inaudita libidine exsan-
17 guis?—sed fuit profecto quaedam illa rei publicae fortuna fatalis, ut ille caecus atque amens tribunus pl. manciceretur—quid dicam? consules? Hocine ut ego nomine appellem eversores huius imperii, perditores vestrae dignitatis, hostes bonorum omnium, qui ad delendum senatum, adfligendum equestrem ordinem, exstinguenda omnia iura atque instituta maiorum se illis fascibus ceterisque insignibus summi honoris atque imperii ornatos esse arbitrabantur. Quorum, per deos immortales! si nondum scelera vulneraque inusta rei publicae vultis recordari, vultum atque incessum animis intuemini; facilius eorum facta occurrent mentibus vestris, si ora ipsa oculis proposueritis.
18 VIII. Alter unguentis affluens, calamistrata coma, despiciens conscios stuprorum ac veteres vexatores aetatulae suae, puteali et faeneratorum gregibus inflatus, a quibus compulsus olim, ne in Scyllaeo illo aeris alieni tamquam [in] fretu ad columnam adhaeresceret, in tribunatus portum perfugerat, contemnebat equites

Romanos, minitabatur senatui, venditabat se operis atque ab iis se ereptum, ne de ambitu causam diceret, praedicabat ab isdemque se etiam invito senatu provinciam sperare dicebat; eamque nisi adeptus esset, se incolumem nullo modo fore arbitrabatur. Alter, o di 19
boni! quam tacter incedebat, quam truculentus, quam terribilis aspectu! Unum aliquem te ex barbatis illis, exemplum imperii veteris, imaginem antiquitatis, columen rei publicae diceres intueri. Vestitus aspere nostra hac purpura plebeia ac paene fusca, capillo ita horrido, ut Capua, in qua ipsa tum imaginis ornandae causa duumviratum gerebat, Seplasiam sublaturus videretur. Nam quid ego de supercilio dicam, quod tum hominibus non supercilium, sed pignus rei publicae videbatur? Tanta erat gravitas in oculo, tanta contractio frontis, ut illo supercilio annus ille niti tamquam *vade* videretur. Erat hic omnium sermo: 20
'Est tamen rei publicae magnum firmumque subsidium; habeo quem opponam labi illi atque caeno; vultu me dius fidius collegae sui libidinem levitatemque franget; habebit senatus in hunc annum quem sequatur; non deerit auctor et dux bonis'. Mihi denique homines praecipue gratulabantur, quod habiturus essem contra tribunum plebis furiosum et audacem cum amicum et adfinem, tum etiam fortem et gravem consulem.

IX. Atque eorum alter fefellit neminem. Quis enim clavum tanti imperii tenere et gubernacula rei publicae tractare in maximo cursu ac fluctibus posse arbitraretur hominem emersum subito ex diuturnis tenebris lustrorum ac stuprorum, vino, ganeis, lenociniis adulteriisque confectum, cum is praeter spem in

altissimo gradu alienis opibus positus esset, qui non modo tempestatem impendentem intueri temulentus,
21 sed ne lucem quidem insolitam aspicere posset? Alter multos plane in omnis partis fefellit: erat enim hominum opinioni nobilitate ipsa, blanda conciliatricula, commendatus. Omnes boni semper nobilitati favemus, et quia utile est rei publicae nobiles homines esse dignos maioribus suis, et quia valet apud nos clarorum hominum et bene de re publica meritorum memoria etiam mortuorum. Quia tristem semper, quia taciturnum, quia subhorridum atque incultum videbant, et quod erat eo nomine, ut ingenerata familiae frugalitas videretur, favebant, gaudebant et ad integritatem maiorum spe sua hominem vocabant materni generis
22 obliti. Ego autem—vere dicam, iudices,—tantum esse in homine sceleris, audaciae, crudelitatis, quantum ipse cum re publica sensi, numquam putavi: nequam esse hominem et levem et [falsa opinione] errore hominum ab adulescentia commendatum sciebam. Etenim animus eius vultu, flagitia parietibus tegebantur; sed haec obstructio nec diuturna est neque obducta ita, ut curiosis oculis perspici non possit.

X. Videbamus genus vitae, desidiam, inertiam: inclusas eius libidines, qui paulo propius accesserant, intuebantur; denique etiam sermo hominis ansas dabat,
23 quibus reconditos eius sensus tenere possemus. Laudabat homo doctus philosophos nescio quos neque eorum tamen nomina poterat dicere, sed tamen eos laudabat maxime, qui dicuntur praeter ceteros esse auctores et laudatores voluptatis: cuius et quo tempore et quo modo non quaerebat; verbum ipsum omnibus animi et corporis *partibus* devorarat; con-

demque praeclare dicere aiebat sapientis omnia sua causa facere, rem publicam capessere hominem bene sanum non oportere, nihil esse praestabilius otiosa vita, plena et conferta voluptatibus; eos autem, qui dicerent dignitati esse serviendum, rei publicae consulendum, officii rationem in omni vita, non commodi esse ducendam, adeunda pro patria pericula, vulnera excipienda, mortem oppetendam, vaticinari atque insanire dicebat. Ex his assiduis eius cotidianisque ser- 24
monibus et quod videbam, quibuscum hominibus in interiore parte aedium viveret, et quod ita domus ipsa fumabat, ut multa eius †sermonis indicia redolerent, statuebam sic, boni nihil ab illis nugis exspectandum, mali quidem certe nihil pertimescendum. Sed ita est, iudices: Ut, si gladium parvo puero aut si imbecillo seni aut debili dederis, ipse impetu suo nemini noceat, sin ad nudum vel fortissimi viri corpus accesserit, possit acie ipsa et ferri viribus vulnerare: *sic*, cum hominibus enervatis atque exsanguibus consulatus tamquam gladius esset datus, qui per se pungere neminem umquam potuissent, ii summi imperii nomine armati nudatam rem publicam contrucidarunt. Foedus fecerunt cum tribuno plebis palam, ut ab eo provincias acciperent, quas ipsi vellent, exercitum et pecuniam, quantam vellent, ea lege, si ipsi prius tribuno plebis adflictam et constrictam rem publicam tradidissent. Id autem foedus meo sanguine ictum sanciri posse dicebant. Qua re patefacta—neque enim dissimulari 25
tantum scelus poterat nec latere—promulgantur uno eodemque tempore rogationes ab eodem tribuno de mea pernicie et de provinciis consulum nominatim.

XI. Hic tum senatus sollicitus, vos, equites Ro-

mani, excitati, Italia cuncta permota, omnes denique omnium generum atque ordinum cives summae rei publicae a consulibus atque a summo imperio petendum esse auxilium arbitrabantur, cum illi soli essent praeter furiosum illum tribunum duo rei publicae turbines, qui non modo praecipitanti patriae non subvenirent, sed eam nimium tarde concidere maererent. Flagitabatur ab eis cotidie cum querellis bonorum omnium, tum etiam precibus senatus, ut meam causam susciperent, agerent aliquid, denique ad senatum referrent: non modo negando, sed etiam inridendo amplissimum quemque illius ordinis insequebantur. 26 Hic subito cum incredibilis in Capitolium multitudo ex tota urbe cunctaque Italia convenisset, vestem mutandam omnes meque iam omni ratione privato consilio, quoniam publicis ducibus res publica careret, defendendum putarunt. Erat eodem tempore senatus in aede Concordiae, quod ipsum templum repraesentabat memoriam consulatus mei, cum flens universus ordo cincinnatum consulem orabat; nam alter ille horridus et severus consulto se domi continebat. Qua tum superbia caenum illud ac labes amplissimi ordinis preces et clarissimorum civium lacrimas repudiavit, me ipsum ut contempsit helluo patriae! nam quid ego 'patrimonii' dicam, quod ille totum, quamvis quaestum faceret, amisit? Venistis ad senatum, vos, inquam, equites Romani et omnes boni veste mutata, vosque pro meo capite ad pedes lenonis impurissimi proiecistis, cum, vestris precibus ab latrone illo repudiatis, vir incredibili fide, magnitudine animi, constantia, L. Ninnius, ad senatum de re publica rettulit, senatusque frequens vestem pro mea salute mutandam censuit.

XII. O diem illum, iudices, funestum senatui bo- 27
nisque omnibus, rei publicae luctuosum, mihi ad domesticum maerorem gravem, ad posteritatis memoriam gloriosum! Quid enim quisquam potest ex omni memoria sumere inlustrius, quam pro uno cive et bonos omnis privato consensu et universum senatum publico consilio mutasse vestem? quae quidem tum mutatio non deprecationis est causa facta, sed luctus. Quem enim deprecarere, cum omnes essent sordidati cumque hoc satis esset signi esse improbum, qui mutata veste non esset? Hac mutatione vestis facta tanto in luctu civitatis, omitto quid ille tribunus omnium rerum divinarum humanarumque praedo fecerit, qui adesse nobilissimos adulescentes, honestissimos equites Romanos, deprecatores salutis meae iusserit eosque operarum suarum gladiis et lapidibus obiecerit: de consulibus loquor, quorum fide res publica niti debuit. Exanima- 28
tus evolat ex senatu, non minus perturbato animo atque vultu, quam si annis ante paucis in creditorum conventum incidisset; advocat contionem, habet orationem talem consul, qualem numquam Catilina victor habuisset: errare homines, si etiam tum senatum aliquid in re publica posse arbitrarentur; equites vero Romanos daturos illius dici poenas, quo me consule cum gladiis in clivo Capitolino fuissent: venisse tempus eis, qui in timore fuissent—coniuratos videlicet dicebat—ulciscendi *sui*. Si dixisset haec solum, omni supplicio esset dignus; nam oratio ipsa consulis perniciosa potest rem publicam labefactare: quid fecerit videte. L. Lamiam, qui cum me ipsum pro summa 29
familiaritate, quae mihi cum patre eius erat, unice diligebat, tum pro re publica vel mortem oppetere

cupiebat, in contione relegavit edixitque, ut ab urbe abesset milia passuum ducenta, quod esset ausus pro civi, pro bene merito civi, pro amico, pro re publica deprecari.

XIII. Quid hoc homine facias aut quo civem importunum aut quo potius hostem tam sceleratum reserves? qui, ut omittam cetera, quae sunt ei cum collega immani impuroque coniuncta atque communia, hoc unum habet proprium, ut ex urbe expulerit, relegarit non dico equitem Romanum, non ornatissimum atque optimum virum, non amicissimum rei publicae civem, non illo ipso tempore una cum senatu et cum bonis omnibus casum amici reique publicae lugentem, sed civem Romanum sine ullo iudicio ut edicto ex patria consul eiecerit. Nihil acerbius socii et Latini ferre soliti sunt quam se, id quod perraro accidit, ex urbe exire a consulibus iuberi. Atque illis tum erat reditus in suas civitates ad suos Lares familiaris et in illo communi incommodo nulla in quemquam propria ignominia nominatim cadebat. Hoc vero quid est? exterminabit civis Romanos edicto consul a suis dis penatibus, expellet ex patria, deliget quem volet, damnabit atque eiciet nominatim? Hic, si umquam vos eos, qui nunc estis, in re publica fore putasset, si denique imaginem iudiciorum aut simulacrum aliquod futurum in civitate reliquom credidisset, umquam ausus esset senatum de re publica tollere, equitum Romanorum preces aspernari, civium denique omnium novis et inauditis edictis ius libertatemque pervertere? Etsi me attentissimis animis, summa cum benignitate auditis, iudices, tamen vereor ne quis vestrum forte miretur, quid haec mea oratio tam longa aut tam alte

repetita velit aut quid ad P. Sesti causam eorum, qui ante huius tribunatum rem publicam vexarunt, delicta pertineant. Mihi autem hoc propositum est ostendere, omnia consilia P. Sesti mentemque totius tribunatus hanc fuisse, ut adflictae et perditae rei publicae quantum posset mederetur. Ac si in exponendis vulneribus illis de me ipso plura dicere videbor, ignoscitote. Nam et illam meam cladem vos et omnes boni maximum esse rei publicae vulnus iudicastis, et P. Sestius est reus non suo, sed meo nomine; qui cum omnem vim sui tribunatus in mea salute consumpserit, necesse est meam causam praeteriti temporis cum huius praesenti defensione esse coniunctam.

XIV. Erat igitur in luctu senatus; squalebat civitas publico consilio veste mutata; nullum erat Italiae municipium, nulla colonia, nulla praefectura, nulla Romae societas vectigalium, nullum collegium aut concilium aut omnino aliquod commune consilium, quod tum non honorificentissimo de mea salute decrevisset: cum subito edicunt duo consules, ut ad suum vestitum senatores redirent. Quis umquam consul senatum ipsius decretis parere prohibuit, quis tyrannus miseros lugere vetuit? Parumne est, Piso, ut omittam Gabinium, quod tantum homines fefellisti, ut neglegeres auctoritatem senatus, optimi cuiusque consilia contemneres, rem publicam proderes, consulare nomen adfligeres? etiamne edicere audeas, ne maererent homines meam, suam, rei publicae calamitatem, ne hunc suum dolorem veste significarent? Sive illa vestis mutatio ad luctum ipsorum sive ad deprecandum valebat, quis umquam tam crudelis fuit, qui prohiberet quemquam aut sibi maerere aut ceteris supplicare? Quid? sua

sponte homines in amicorum periculis vestitum mutare non solent? pro te ipso, Piso, nemone mutabit? ne isti quidem, quos legatos non modo nullo senatus consulto, sed etiam repugnante senatu tibi tute legisti? Ergo hominis desperati et proditoris rei publicae casum lugebunt fortasse qui volent: civis florentissimi benevolentia bonorum et optime de salute patriae meriti periculum coniunctum cum periculo civitatis lugere senatui non licebit? Eidemque consules, si appellandi sunt consules, quos nemo est quin non modo ex memoria, sed etiam ex fastis evellendos putet, pacto iam foedere provinciarum, producti in circo Flaminio in contionem ab illa furia ac peste patriae, maximo cum gemitu vestro illa omnia, quae tum contra me contraque rem publicam *agebantur*, voce ac sententia sua comprobaverunt.

XV. Isdemque consulibus sedentibus atque inspectantibus lata lex est, ne auspicia valerent, ne quis obnuntiaret, ne quis legi intercederet, ut omnibus fastis diebus legem ferri liceret, ut lex Aelia, lex Fufia ne valeret: quae una rogatione quis est qui non intellegat universam rem publicam esse deletam? Isdemque consulibus inspectantibus servorum dilectus habebatur pro tribunali Aurelio nomine collegiorum, cum vicatim homines conscriberentur, decuriarentur, ad vim ad manus, ad caedem ad direptionem incitarentur. Isdemque consulibus arma in templum Castoris palam comportabantur, gradus eiusdem templi tollebantur, armati homines forum et contiones tenebant, caedes lapidationesque fiebant, nullus erat senatus, nihil reliqui magistratus, unus omnem omnium potestatem armis et latrociniis possidebat non aliqua vi sua, sed, cum duo

consules a re publica provinciarum foedere retraxisset, insultabat, dominabatur, aliis pollicebatur, terrore ac metu multos, plures etiam spe et promissis tenebat. Quae cum essent eius modi, iudices, cum senatus duces 35 nullos ac pro ducibus proditores aut potius apertos hostes haberet, equester ordo reus a consulibus citaretur, Italiae totius auctoritas repudiaretur, alii nominatim relegarentur, alii metu et periculo terrerentur, arma essent in templis, armati in foro, eaque non silentio consulum dissimularentur, sed et voce et sententia comprobarentur; cum omnes urbem nondum excisam et eversam, sed iam captam atque oppressam videremus: tamen his tantis malis tanto bonorum studio, iudices, restitissemus, sed me alii metus atque aliae curae suspicionesque moverunt.

XVI. Exponam enim hodierno die, iudices, om- 36 nem rationem facti et consilii mei neque huic vestro tanto studio audiendi nec vero huic tantae multitudini, quanta mea memoria numquam ullo in iudicio fuit, docero. Nam si ego in causa tam bona tanto studio senatus, consensu tam incredibili bonorum omnium, tam parato, tota denique Italia ad omnem contentionem expedita, cessi tribuni pl., despicatissimi hominis, furori, contemptissimorum consulum levitatem audaciamque pertimui, nimium me timidum, nullius animi, nullius consilii fuisse confiteor. Quid enim simile fuit 37 in Q. Metello? cuius causam etsi omnes probabant, tamen neque senatus publice neque ullus ordo proprie neque suis decretis Italia cuncta susceperat. Ad suam enim quandam magis ille gloriam quam ad perspicuam salutem rei publicae *respexerat*, cum unus in legum per vim latam iurare noluerat: denique videbatur ea

condicione tam fortis fuisse, ut cum patriae caritate constantiae gloriam commutaret. Erat autem res ei cum exercitu C. Mari invicto, habebat inimicum C. Marium, conservatorem patriae, sextum iam illum consulatum gerentem; res erat cum L. Saturnino, iterum tribuno pl., vigilante homine et in causa populari si non moderate, at certe populariter abstinenterque versato. Cessit, ne aut victus a fortibus viris cum dedecore caderet aut victor multis et fortibus civibus rem
38 publicam orbaret. Meam causam senatus palam, eques- ter ordo acerrime, cuncta Italia publice, omnes boni proprie enixeque susceperant. Eas res gesseram, quarum non unus auctor, sed dux omnium voluntatis fuissem, quaeque non modo ad singularem meam gloriam, sed ad communem salutem omnium civium et prope gentium pertinerent; ea condicione gesseram, ut meum factum semper omnes praestare tuerique deberent.

XVII. Erat autem mihi contentio non cum victore exercitu, sed cum operis conductis et ad diripiendam urbem concitatis; habebam inimicum non C. Marium, terrorem hostium, spem subsidiumque patriae, sed duo importuna prodigia, quos egestas, quos aeris alieni magnitudo, quos levitas, quos
39 improbitas tribuno plebis constrictos addixerat; nec mihi erat res cum Saturnino, qui, quod a se quaestore Ostiensi per ignominiam ad principem et senatus et civitatis, M. Scaurum, rem frumentariam translatam sciebat, dolorem suum magna contentione animi persequebatur, sed cum scurrarum locupletium scorto, cum sororis adultero, cum stuprorum sacerdote, cum venefico, cum testamentario, cum sicario, cum latrone; quos homines si, id quod facile factu fuit et

quod fieri debuit, quodque a me optimi et fortissimi cives flagitabant, vi armisque superassem, non verebar, ne quis aut vim vi depulsam reprehenderet aut perditorum civium vel potius domesticorum hostium mortem maereret. Sed me illa moverunt: Omnibus in contionibus illa furia clamabat se, quae faceret contra salutem meam, facere auctore Cn. Pompeio, clarissimo viro mihique et nunc et, quoad licuit, amicissimo. M. Crassus, quocum mihi omnes erant amicitiae necessitudines, vir fortissimus, ab eadem illa peste infestissimus esse meis fortunis praedicabatur; C. Caesar, qui a me nullo meo merito alienus esse debebat, inimicissimus esse meae saluti ab eodem cotidianis contionibus dicebatur. His se tribus auctoribus in consiliis capiendis, 40 adiutoribus in re gerenda esse usurum dicebat; ex quibus unum habere exercitum in Italia maximum; duo, qui privati tum essent, et praecesse et parare, si vellent, exercitum posse idque facturos esse dicebat. Nec mihi ille iudicium populi nec legitimam aliquam contentionem nec disceptationem aut causae dictionem, sed vim, arma, exercitus, imperatores, castra denuntiabat.

XVIII. Quid ergo? inimici oratio, vana praesertim, tam improbe in clarissimos viros coniecta me movit? Me vero non illius oratio, sed eorum taciturnitas, in quos illa oratio tam improba conferebatur; qui tum, quamquam ob alias causas tacebant, tamen hominibus omnia timentibus tacendo loqui, non infitiando confiteri videbantur. Illi autem aliquo tum timore perterriti, quod acta illa atque omnis res anni superioris labefactari a praetoribus, infirmari a senatu atque a principibus civitatis putabant, tribunum popu-

larem a se alienare nolebant suaque sibi propiora esse
41 pericula quam mea loquebantur. Sed tamen et Crassus a consulibus meam causam suscipiendam esse dicebat et eorum fidem Pompeius implorabat neque se privatum publice susceptae causae defuturum esse dicebat; quem virum studiosum mei, cupidissimum rei publicae conservandae domi meae certi homines ad eam rem positi monuerunt ut esset cautior, eiusque vitae a me insidias apud me domi positas esse dixerunt, atque hanc eius suspicionem alii litteris mittendis, alii nuntiis, alii coram ipsi excitaverunt, ut ille, cum a me certe nihil timeret, ab illis, ne quid meo nomine molirentur, sibi cavendum putaret. Ipse autem Caesar, quem maxime homines ignari veritatis mihi esse iratum putabant, erat ad portas, erat cum imperio; erat in Italia eius exercitus inque eo exercitu ipsius tribuni plebis inimici mei fratrem praefecerat.

42 XIX. Haec ergo cum viderem—neque enim erant occulta—, senatum, sine quo civitas stare non posset, omnino de civitate esse sublatum, consules, qui duces publici consilii esse deberent, perfecisse, ut per ipsos publicum consilium funditus tolleretur, eos, qui plurimum possent, opponi omnibus contionibus, falso sed formidolose tamen, auctores ad perniciem meam, contiones haberi cotidie contra me, vocem pro me ac pro re publica neminem mittere, intenta signa legionum existimari cervicibus ac bonis vestris falso, sed putari tamen, coniuratorum copias veteres et effusam illam ac superatam Catilinae importunam manum novo duce et insperata commutatione rerum esse renovatam:—haec cum viderem, quid agerem, iudices? Scio enim tum non mihi vestrum studium, sed meum

prope vestro defuisse. Contenderem contra tribunum 43
plebis privatus armis? Vicissent improbos boni, fortes inertis; interfectus esset is, qui hac una medicina sola potuit a rei publicae peste depelli: quid deinde? quis reliqua praestaret? cui denique erat dubium, quin ille sanguis tribunicius, nullo praesertim publico consilio profusus, consules ultores et defensores esset habiturus? cum quidam in contione dixisset aut mihi semel pereundum aut bis esse vincendum. Quid erat bis vincere? id profecto, ut, cum amentissimo tribuno plebis si decertassem, cum consulibus ceterisque eius ultoribus dimicarem. Ego vero, vel si pereundum fuisset 44
ac non accipienda plaga mihi sanabilis, illi mortifera qui imposuisset, semel perire tamen, iudices, maluissem quam bis vincere. Erat enim illa altera eius modi contentio, ut neque victi neque victores rem publicam tenere possemus. Quid, si in prima contentione vi tribunicia victus in foro cum multis bonis viris concidissem? Senatum consules, credo, vocassent, quem totum de civitate delerunt; ad arma vocassent, qui ne vestitu quidem defendi rem publicam sissent; a tribuno plebis post interitum *meum* dissedissent, qui eandem horam meae pestis et suorum praemiorum esse voluissent.

XX. Unum enim mihi restabat illud, quod forni- 45
tan nonnemo vir fortis et acris animi magnique dixerit: 'Restitisses, repugnasses, mortem pugnans oppetisses.' De quo te, te, inquam, patria, testor et vos, penates patriique dei, me vestrarum sedum templorumque causa, me propter salutem meorum civium, quae mihi semper fuit mea carior vita, dimicationem caedemque fugisse. Etenim si mihi in aliqua nave cum meis amicis naviganti hoc, iudices, accidisset, ut

multi ex multis locis praedones classibus eam navem se oppressuros minitarentur, nisi me unum sibi dedidissent, si id vectores negarent ac mecum simul interire quam me tradere hostibus mallent, iecissem ipse me potius in profundum, ut ceteros conservarem, quam illos mei tam cupidos non modo ad certam mor-
46 tem, sed in magnum vitae discrimen adducerem. Cum vero in hanc rei publicae navem ereptis senatui gubernaculis fluitantem in alto tempestatibus seditionum ac discordiarum armatae tot classes, nisi ego essem unus deditus, incursurae viderentur, cum proscriptio, caedes, direptio denuntiaretur, cum alii me suspicione periculi sui non defenderent, alii vetere odio bonorum incitarentur, alii invidcrent, alii obstare sibi me arbitrarentur, alii ulcisci dolorem aliquem suum vellent, alii rem ipsam publicam atque hunc bonorum statum otiumque odissent et ob hasce causas tot tamque varias me unum deposcerent, depugnarem potius cum summo non dicam exitio, sed periculo certe vestro liberorumque vestrorum, quam id, quod omnibus impendebat, unus pro omnibus susciperem ac subirem?

47 XXI. 'Victi essent improbi.' At cives, *at armis*, at ab eo privato, qui sine armis etiam consul rem publicam conservarat. Sin victi essent boni, qui supercssent? nonne ad servos videtis rem publicam venturam fuisse? An mihi ipsi, ut quidam putant, fuit mors aequo animo oppetenda? Quid tum? mortemne fugiebam? An erat res ulla, quam mihi magis optandam putarem? aut ego illas res tantas in tanta improborum multitudine cum gerebam, non mihi mors, non exilium ob oculos versabatur? non haec denique a me tum tamquam fata in ipsa re gerenda canebantur?

An erat mihi in tanto luctu meorum, tanta diiunctione, tanta acerbitate, tanta spoliatione omnium rerum, quas mihi aut natura aut fortuna dederat, vita retinenda? tam eram rudis, tam ignarus rerum, tam expers consilii aut ingenii? nihil audieram, nihil videram, nihil ipse legendo quaerendoque cognoveram, nesciebam vitae brevem esse cursum, gloriae sempiternum; cum esset omnibus definita mora, optandum esse ut vita, quae necessitati deberetur, patriae potius donata quam reservata naturae videretur? nesciebam inter sapientissimos homines hanc contentionem fuisse, ut alii dicerent animos hominum sensusque morte restingui, alii autem tum maxime mentes sapientium ac fortium virorum, cum ex corpore excessissent, sentire ac vigere? quorum alterum fugiendum non esse, carere sensu, alterum etiam optandum, meliore esse sensu. Denique cum omnia semper ad dignitatem 48
rettulissem nec sine ea quicquam expetendum esse homini in vita putassem, mortem, quam etiam virgines Athenis regis, opinor, Erechthei filiae pro patria contempsisse dicuntur, ego vir consularis tantis rebus gestis timerem? praesertim cum eius essem civitatis, ex qua C. Mucius solus in castra Porsenae venisset eumque interficere proposita sibi morte conatus esset: ex qua P. Decius primum pater, post aliquot annos patria virtute praeditus filius se ac vitam suam instructa acie pro salute populi Romani victoriaque devovisset: ex qua innumerabiles alii partim adipiscendae laudis, partim vitandae turpitudinis causa mortem in variis bellis aequissimis animis oppetissent: in qua civitate ipse meminissem patrem huius M. Crassi, fortissimum virum, ne videret victorem vivus

inimicum, eadem sibi manu vitam exhausisse, qua mortem saepe hostibus obtulisset.

49 XXII. Haec ego et multa alia cogitans hoc videbam, si causam publicam mea mors peremisset, neminem umquam fore, qui auderet suscipere contra improbos cives salutem rei publicae. Itaque, non solum si vi interissem, sed etiam si morbo exstinctus essem, fore putabam ut exemplum rei publicae conservandae mecum simul interiret. Quis enim umquam me a senatu populoque Romano tanto omnium bonorum studio non restituto, quod certe, si essem interfectus, accidere non potuisset, ullam rei publicae partem cum sua minima invidia auderet attingere? Servavi igitur rem publicam discessu meo, iudices: eadem a vobis liberisque vestris, vastitatem, incendia, rapinas meo dolore luctuque populi et unus bis rem publicam servavi, semel gloria, iterum aerumna mea. Neque enim in hoc me hominem esse infitiabor umquam, ut me optimo fratre, carissimis liberis, fidissima coniuge, vestro conspectu, patria, hoc honoris gradu sine dolore caruisse glorier. Quod si fecissem, quod a me beneficium haberetis, cum pro vobis ea, quae mihi essent vilia, reliquissem? Hoc meo quidem animo summi in patriam amoris mei signum esse debet certissimum, quod, cum abesse ab ea sine summo dolore non possem, hunc me perpeti quam illam labefactari ab improbis 50 malui. Memineram, iudices, divinum illum virum atque ex isdem quibus nos radicibus natum ad salutem huius imperii, C. Marium, summa senectute, cum vi prope iustorum armorum profugisset, primo senile corpus paludibus occultasse demersum, deinde ad infimorum ac tenuissimorum hominum Minturnensium

misericordiam confugisse; inde navigio perparvo, cum omnis portus terrasque fugeret, in oras Africae desertissimas pervenisse. Atque ille vitam suam, ne inultus esset, ad incertissimam spem et ad rei publicae fatum reservavit: ego, qui, quem ad modum multi in senatu me absente dixerunt, periculo rei publicae vivebam, quique ob eam causam consularibus litteris de senatus sententia exteris nationibus commendabar, nonne, si meam vitam deseruissem, rem publicam prodidissem? in qua quidem nunc me restituto vivit mecum simul exemplum fidei publicae. Quod si immortale retinetur, quis non intellegit immortalem hanc civitatem futuram?

XXIII. Nam externa bella regum, gentium, 51 nationum iam pridem ita exstincta sunt, ut praeclare cum iis agamus, quos peccatos esse patiamur; denique ex bellica victoria non fere quemquam est invidia civium consecuta; domesticis malis et audacium civium consiliis saepe est resistendum, eorumque periculorum est in re publica retinenda medicina; quam omnem, iudices, perdidissetis, si meo interitu senatui populoque Romano doloris sui de me declarandi potestas esset erepta. Qua re moneo vos, adulescentes, atque hoc meo iure praecipio, qui dignitatem, qui rem publicam, qui gloriam spectatis, nec, si quae vos aliquando necessitas ad rem publicam contra improbos civis defendendam vocabit, segniores sitis et recordatione mei casus a consiliis fortibus refugiatis. Primum 52 non est periculum, ne quis umquam incidat in eius modi consules, praesertim si erit iis id quod debetur persolutum. Deinde numquam iam, ut spero, quisquam improbus consilio et auxilio bonorum se oppug-

[redacted]

nare rem publicam dicet illis tacentibus, nec armati exercitus terrorem opponet togatis; neque erit iusta causa ad portas sedenti imperatori, quare suum terrorem falso iactari opponique patiatur. Numquam denique erit tam oppressus senatus, ut ei ne suppli- 6
candi quidem ac lugendi sit potestas, tam captus equester ordo, ut equites Romani a consule relegentur. Quae cum omnia atque etiam multo alia maiora, quae consulto praetereo, accidissent, videtis me tamen in meam pristinam dignitatem brevi tantum tempore 10
doloris interiecto rei publicae voce esse revocatum.

53 XXIV. Sed ut revertar ad illud, quod mihi in hac omni est oratione propositum, omnibus malis illo anno scelere consulum rem publicam esse confectam, primum illo ipso die, qui mihi funestus fuit, omnibus 15
bonis luctuosus, cum ego me e complexu patriae conspectuque vestro eripuissem et metu vestri periculi, non mei, furori hominis, sceleri, perfidiae, telis minisque cessissem patriamque, quae mihi erat carissima, propter ipsius patriae caritatem reliquissem; cum 20
meum illum casum tam horribilem, tam gravem, tam repentinum non solum homines, sed tecta urbis ac templa lugerent, nemo vestrum forum, nemo curiam, nemo lucem aspicere vellet: illo, inquam, ipso die, die dico? immo hora atque etiam puncto temporis 25
eodem mihi reique publicae pernicies, Gabinio et Pisoni provincia rogata est. Pro dei immortales custodes et conservatores huius urbis atque imperii, quaenam illa in re publica monstra, quae scelera vidistis! Civis erat expulsus is, qui rem publicam ex 30
senatus auctoritate cum omnibus bonis defenderat, et expulsus non alio aliquo, sed eo ipso crimine. Erat

autem expulsus sine iudicio, vi, lapidibus, ferro, servitio denique concitato; lex erat lata vasto ac relicto foro et sicariis servisque tradito et ea lex, quae ut ne ferretur, senatus fuerat veste mutata. Hac tanta per- 54
turbatione civitatis ne noctem quidem consules inter meum *interitum* et suam praedam interesse passi sunt: statim me perculso ad meum sanguinem hauriendum et spirante etiam re publica ad eius spolia detrahenda advolaverunt. Omitto gratulationes, epulas, partitionem aerarii, beneficia, spem, promissa, praedam, laetitiam paucorum in luctu omnium; vexabatur uxor mea, liberi ad necem quaerebantur, gener, et Piso gener, a Pisonis consulis pedibus supplex reiciebatur, bona diripiebantur eaque ad consules deferebantur, domus ardebat in Palatio; consules epulabantur. Quodsi meis incommodis laetabantur, urbis tamen periculo commoverentur.

XXV. Sed ut a mea causa iam recedam, reli- 55
quas illius anni pestes recordamini—sic enim facillime perspicietis, quantam vim omnium remediorum a magistratibus proximis res publica desiderarit—, legum multitudinem, cum earum, quae latae sunt, tum vero, quae promulgatae fuerunt. Nam latae quidem sunt consulibus illis—tacentibus dicam? immo vero etiam approbantibus, ut censoria notio et gravissimum iudicium sanctissimi magistratus de re publica tolleretur; ut collegia non modo illa vetera contra senatus consultum restituerentur, sed *ab* uno gladiatore innumerabilia alia nova conscriberentur; ut remissis senis et trientibus quinta prope pars vectigalium tolleretur; ut Gabinio pro illa sua Cilicia, quam sibi, si rem publicam prodidisset, pactus erat,

[illegible] daretur et uni helluoni bis de eadem re deliberandi et rogata *lege potestas per novam legem* fieret provinciae commutandae.

XXVI. Mitto eam legem, quae omnia iura religionum, auspiciorum, potestatum, omnis leges, quae sunt de iure et de tempore legum rogandarum, una rogatione delevit; mitto omnem domesticam labem: etiam exteras nationes illius anni furore conquassatas videbamus. Lege tribunicia Matris Magnae Pessinuntius ille sacerdos expulsus et spoliatus sacerdotio est fanumque sanctissimarum atque antiquissimarum religionum venditum pecunia grandi Brogitaro, impuro homini atque indigno illa religione, praesertim cum eam sibi ille non colendi, sed violandi causa adpetisset; appellati reges a populo, qui id numquam ne a senatu quidem postulassent; reducti exsules Byzantium condemnati tum, cum indemnati cives e civitate eiciebantur.

57 Rex Ptolomaeus, qui, si nondum erat ipse a senatu socius appellatus, erat tamen frater eius regis, qui, cum esset in eadem causa, iam erat a senatu *societatis et amicitiae* honorem consecutus, erat eodem genere eisdemque maioribus, eadem vetustate societatis, denique erat rex, si nondum socius, at non hostis; pacatus, quietus, fretus imperio populi Romani regno paterno atque avito regali otio perfruebatur: de hoc nihil cogitante, nihil suspicante, eisdem operis suffragium ferentibus est rogatum, ut sedens cum purpura et sceptro et illis insignibus regiis praeconi publico subiceretur et imperante populo Romano, qui etiam bello victis regibus regna reddere consuevit, rex amicus nulla iniuria commemorata, nullis rebus repetitis cum bonis omnibus publicaretur.

XXVII. Multa acerba, multa turpia, multa turbulenta habuit ille annus: tamen illi sceleri, quod in me illorum immanitas edidit, haud scio an recte hoc proximum esse dicamus. Antiochum Magnum illum maiores nostri magna belli contentione terra marique superatum intra montem Taurum regnare iusserunt: Asiam, qua illum multarunt, Attalo, ut is regnaret in ea, condonaverunt. Cum Armeniorum rege Tigrane grave bellum nuper ipsi diuturnumque gessimus, cum ille iniuriis in socios nostros inferendis bello prope nos lacessisset. Hic et ipse per se vehemens hostis fuit et acerrimum hostem huius imperii Mithridatem pulsum Ponto opibus suis regnoque defendit, et ab L. Lucullo, summo viro atque imperatore, repulsus, animo tamen hostili cum reliquis suis copiis in pristina mente mansit. Hunc Cn. Pompeius, cum in suis castris supplicem abiectum vidisset, erexit atque insigne regium, quod ille de suo capite abiecerat, reposuit et certis rebus imperatis regnare iussit, nec minus et sibi et huic imperio gloriosum putavit constitutum a se regem quam constrictum videri. *Rex igitur Armenius*, qui et ipse hostis fuit populi Romani et acerrimum hostem in regnum recepit, qui conflixit, qui signa contulit, qui de imperio paene certavit, regnat hodie et amicitiae nomen ac societatis, quod armis violarat, id precibus est consecutus: ille Cyprius miser, qui semper amicus, semper socius fuit, de quo nulla umquam suspicio durior aut ad senatum aut ad imperatores adlata nostros est, vivus, ut aiunt, est et videns cum victu ac vestitu suo publicatus. En, cur ceteri reges stabilem esse suam fortunam arbitrentur, cum hoc illius funesti anni prodito exemplo

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videant per tribunum aliquem et sescontas operas se fortunis spoliari et regno omni posse nudari!

60 XXVIII. At etiam eo negotio M. Catonis splendorem maculare voluerunt ignari, quid gravitas, quid integritas, quid magnitudo animi, quid denique virtus valeret, quae in tempestate saeva quieta est et lucet in tenebris et pulsa loco manet tamen atque haeret in patria splendetque per sese semper neque alicuius umquam sordibus obsolescit. Non illi ornandum M. Catonem, sed relegandum, nec illi committendum illud negotium, sed imponendum putaverunt, qui in contione palam dixerint linguam se evellisse M. Catoni, quae semper contra extraordinarias potestates libera fuisset. Senticut, ut spero, brevi tempore, manere libertatem illam, atque hoc etiam, si fieri potuerit, esse maiorem, quod cum consulibus illis M. Cato, etiam cum iam desperasset aliquid auctoritate sua profici posse, tamen voce ipsa ac dolore pugnavit et post meum discessum iis Pisonem verbis flens meum et rei publicae casum vexavit, ut illum hominem perditissimum atque impudentissimum paene
61 iam provinciae paeniteret. 'Cur igitur rogationi paruit?' Quasi vero ille non in alias quoque leges, quas iniuste rogatas putaret, iam ante iurarit! Non offert se ille istis temeritatibus, ut, cum rei publicae nihil prosit, se civi rem publicam privet. Consule me cum esset designatus tribunus plebis, obtulit in discrimen vitam suam: dixit eam sententiam, cuius invidiam capitis periculo sibi praestandam videbat; dixit vehementer; egit acriter, ea quae sensit prae se tulit; dux, auctor, actor rerum illarum fuit, non quo periculum suum non videret, sed in tanta rei

publicae tempestate nihil sibi nisi de patriae periculis cogitandum putabat.

XXIX. Consecutus est ipsius tribunatus. Quid 62 ego de singulari magnitudine animi eius ac de incredibili virtute dicam? Meministis illum diem, cum templo a collega occupato, nobis omnibus de vita eius viri et civis timentibus, ipse animo firmissimo venit in templum et clamorem hominum auctoritate, impetum improborum virtute sedavit. Adiit tum periculum, sed adiit ob eam causam, quae quanta fuerit, iam mihi dicere non est necesse. At si isti Cypriae rogationi sceleratissimae non paruisset, haereret illa nihilo minus rei publicae turpitudo; regno enim iam publicato de ipso Catone erat nominatim rogatum. Quod ille si repudiasset, dubitatis quin ei vis esset adlata, cum omnia acta illius anni per unum illum labefactari viderentur? Atque etiam hoc videbat, 63 quoniam illa in re publica macula regni publicati maneret, quam nemo iam posset eluere, quod ex malis boni posset in rem publicam pervenire, id utilius esse per se conservari quam per alios. Atque ille, etiam si alia quaplam vi expelleretur illis temporibus ex hac urbe, facile pateretur. Etenim qui superiore anno senatu caruisset, quo si tum veniret, me tamen socium suorum in re publica consiliorum videre posset, is aequo animo tum, me expulso et meo nomine cum universo senatu, tum sententia sua condemnata, in hac urbe esse posset? Ille vero eidem tempori, cui nos, eiusdem furori, eisdem consulibus, eisdem minis, insidiis, periculis cessit. Luctum nos hausimus maiorem, dolorem ille animi non minorem.

XXX. His de tot tantisque iniuriis in socios, 64

in reges, in civitates liberas consulum querella esse debuit: in eius magistratus tutela reges atque exterae nationes semper fuerunt. Ecquae vox umquam est audita consulum? Quamquam quis audiret, si maxime queri vellent? De Cyprio rege quererentur, qui me civem nullo meo crimine patriae nomine laborantem non modo stantem non defenderunt, sed ne iacentem quidem protexerunt? Cesseram, si alienam a me plebem fuisse voltis, quae non fuit, invidiae; si commoveri omnia videbantur, tempori; si vis suberat, armis; si societas magistratuum, pactioni; si periculum civium, rei publicae. Cur, cum de capite civis —non disputo cuius modi civis—et de bonis proscriptio ferretur, cum et sacratis legibus et duodecim tabulis sanctum esset, (ut ne cui privilegium inrogari liceret neve de capite nisi comitiis centuriatis rogari) nulla vox est audita consulum, constitutumque est illo anno, quantum in illis duabus huius imperii pestibus fuit, iure posse per operas concitatas quemvis civem nominatim tribuni plebis concilio ex civitate exturbari? Quae vero promulgata illo anno fuerint, quae promissa multis, quae conscripta, quae sperata, quae cogitata, quid dicam? Qui locus orbi terrae iam non erat alicui destinatus? cuius negotii publici cogitari, optari, fingi curatio potuit, quae non esset attributa atque discripta? quod genus imperii aut quae provincia, quae ratio aut fiandae aut conflandae pecuniae non reperiebatur? quae regio orave terrarum erat latior, in qua non regnum aliquod statueretur? quis autem rex erat, qui illo anno non aut emendum sibi, quod non habebat, aut redimendum, quod habebat, arbitraretur? quis provinciam, quis pecuniam, quis legationem a senatu petebat? Damnatis de vi restitutio, consulatus petitio ipsi illi populari sacerdoti comparabatur. Haec gemebant boni, sperabant improbi, agebat tribunus plebis, consules adiuvabant.

XXXI. Hic aliquando, serius quam ipse vellet, Cn. Pompeius invitissimis iis, qui mentem optimi ac fortissimi viri suis consiliis fictisque terroribus a defensione meae salutis averterant, excitavit illam suam non sopitam, sed suspicione aliqua retardatam consuetudinem rei publicae bene gerendae. Non est passus ille vir, qui sceleratissimos civis, qui acerrimos hostis, qui maximas nationes, qui reges, qui gentis feras atque inauditas, qui praedonum infinitam manum, qui etiam servitia virtute victoriaque domuisset, qui omnibus bellis terra marique compressis imperium populi Romani orbis terrarum terminis definisset, rem publicam everti scelere paucorum, quam ipse non solum consiliis, sed etiam sanguine suo saepe servasset: accessit ad causam publicam, restitit auctoritate sua reliquis rebus, questus est de praeteritis. Fieri quaedam ad meliorem spem inclinatio visa est. Decrevit senatus frequens de meo reditu Kalendis Iuniis, dissentiente nullo, referente L. Ninnio, cuius in mea causa numquam fides virtusque contremuit. Intercessit Ligus iste nescio qui, additamentum inimicorum meorum. Res erat et causa nostra eo iam loci, ut erigere oculos et vivere videretur. Quisquis erat, qui aliquam partem in meo luctu sceleris Clodiani attigisset, quocumque venerat, quod iudicium cumque subierat, damnabatur: inveniebatur nemo, qui se suffragium de me tulisse confiteretur. Decesserat ex Asia frater meus magno squalore, sed multo etiam

maiore maerore: huic ad urbem venienti tota obviam civitas cum lacrimis gemituque processerat. Loquebatur liberius senatus; concurrebant equites Romani; Piso ille, gener meus, cui fructum pietatis suae neque ex me neque a populo Romano ferre licuit, a propinquo suo socerum suum flagitabat; omnia senatus reiciebat, nisi de me primum consules rettulissent.

69 XXXII. Quae cum res iam manibus teneretur, et cum consules provinciarum pactione libertatem omnem perdidissent, qui, cum in senatu privati, ut de me sententias dicerent, flagitabant, legem illi se Clodiam timere dicebant; cum hoc non possent iam diutius sustinere, initur consilium de interitu Cn. Pompei. Quo patefacto ferroque deprehenso ille inclusus domi tam diu fuit, quam diu inimicus meus in tribunatu. De meo reditu octo tribuni promulgaverunt. Ex quo intellectum est non mihi absenti crevisse amicos, in ea praesertim fortuna, in qua non nulli etiam, quos esse putaveram, non erant, sed eos voluntatem semper eandem, libertatem non eandem semper habuisse. Nam ex novem tribunis, quos tunc habueram, unus me absente defluxit, qui cognomen sibi ex Aeliorum imaginibus adripuit, quo magis nationis eius esse quam
70 generis videretur. Hoc igitur anno magistratibus novis designatis, cum omnes boni omnem spem melioris status in eorum fidem convertissent, princeps P. Lentulus auctoritate ac sententia sua, Pisone et Gabinio repugnantibus, causam suscepit tribunisque plebis octo referentibus praestantissimam de me sententiam dixit. Qui cum ad gloriam suam atque ad amplissimi beneficii gratiam magis pertinere videret causam illam integram ad suum consulatum reservari, tamen rem

talem per alios citius quam per se tardius confici malebat.

XXXIII. Hoc interim tempore P. Sestius, iudices designatus *tribunus* iter ad C. Caesarem pro mea salute suscepit. Quid egerit, quantum profecerit, nihil ad causam (equidem existimo, si ille, ut arbitror, aequus nobis fuerit, nihil ab hoc profectum; sin iratior, non multum); sed tamen sedulitatem atque integritatem hominis videtis. Ingredior iam in Sesti tribunatum; nam hoc primum iter designatus rei publicae causa suscepit: pertinere et ad concordiam civium putavit et ad perficiundi facultatem, animum Caesaris a causa non abhorrere. Abiit ille annus: respirasse homines videbantur nondum re, sed spe rei publicae recuperandae. Exierunt malis ominibus atque exsecrationibus duo vulturii paludati. Quibus utinam ipsis evenissent ea, quae tum homines precabantur! neque nos provinciam Macedoniam cum exercitu neque equitatum in Syria et cohortis optimas perdidissemus. Ineunt magistratum tribuni plebis; qui omnes se de me promulgaturos confirmarant; ex iis princeps emitur ab inimicis meis is, quem homines in luctu inridentes Gracchum vocabant, quoniam id etiam fatum civitatis fuit, ut illa ex vepreculis extracta nitedula rem publicam conaretur adrodere. Alter vero, non ille Serranus ab aratro, sed ex deserto Gavii Oleli rure a Galatis Gaviis in Calatinos Atilios insitus, subito nominibus in tabulas relatis nomen suum de tabula sustulit. Veniunt Kalendae Ianuariae. Vos haec melius scire potestis, equidem audita dico, quae tum frequentia senatus, quae exspectatio populi, qui concursus legatorum ex Italia cuncta, quae virtus, acti

gravitas P. Lentuli consulis fuerit, quae etiam collegae eius moderatio de me: qui cum inimicitias sibi mecum ex rei publicae dissensione susceptas esse dixisset, eas se patribus conscriptis dixit et temporibus rei publicae permissurum.

73 XXXIV. Tum princeps rogatus sententiam L. Cotta dixit id, quod dignissimum re publica fuit, nihil de me actum esse iure, nihil more maiorum, nihil legibus; non posse quemquam de civitate tolli sine iudicio; de capite non modo ferri, sed ne iudicari quidem posse nisi comitiis centuriatis; vim fuisse illam, flammam quassatae rei publicae perturbatorumque temporum; iure iudiciisque sublatis, magna rerum permutatione impendente declinasse me paulum et spe reliquae tranquillitatis praesentis fluctus tempestatemque fugisse: quare, cum absens rem publicam non minus magnis periculis quam quodam tempore praesens liberassem, non restitui me solum, sed etiam ornari a senatu decere. Disputavit etiam multa prudenter, ita de me illum amentissimum et profligatissimum hostem pudoris et pudicitiae scripsisse quae scripsisset, iis verbis, rebus, sententiis, ut, etiam si iure esset rogatum, tamen vim habere non posset: qua re me, qui nulla lege abessem, non restitui lege, sed
74 revocari senatus auctoritate oportere. Hunc nemo erat quin verissime sentire diceret. Sed post eum rogatus Cn. Pompeius adprobata laudataque Cottae sententia dixit sese otii mei causa, ut omni populari concitatione defungerer, censere ut ad senatus auctoritatem populi quoque Romani beneficium erga me adiungeretur. Cum omnes certatim aliusque alio gravius atque ornatius de mea salute dixisset fieretque

sine ulla varietate discessio, surrexit, ut scitis, Atilius hic Gavianus; nec ausus est, cum esset emptus, intercedere: noctem sibi ad deliberandum postulavit. Clamor senatus, querellae, preces, socer ad pedes abiectus. Ille se adfirmare postero die moram nullam esse facturum. Creditum est; discessum est. Illi interea deliberatori merces longa interposita nocte duplicata est. Consecuti dies pauci omnino Ianuario mense, per quos senatum haberi licuerit, sed tamen actum nihil nisi de me.

XXXV. Cum omni mora, ludificatione, calumnia 75 senatus auctoritas impediretur, venit tandem in concilio de me agendi dies, VIII Kal. Febr. Princeps rogationis, vir mihi amicissimus, Q. Fabricius, templum aliquanto ante lucem occupavit. Quietus eo die Sestius, is qui est de vi reus; actor hic defensorque causae meae nihil progreditur, consilia exspectat inimicorum meorum. Quid? illi, quorum consilio P. Sestius in iudicium vocatur, quo se pacto ger[illegible]? Cum forum, comitium, curiam multa de nocte armatis hominibus ac servis plerisque occupavissent, impetum faciunt in Fabricium, manus adferunt, occidunt nonnullos, vulnerant multos. Venientem in forum, virum optimum 76 et constantissimum, M. Cispium, tribunum plebis, vi depellunt, caedem in foro maximam faciunt, universique destrictis gladiis et cruentis in omnibus fori partibus fratrem meum, virum optimum, fortissimum meique amantissimum, oculis quaerebant, voce poscebant. Quorum ille telis libenter in tanto luctu ac desiderio mei non repugnandi, sed moriendi causa corpus obtulisset suum, nisi suam vitam ad spem mei reditus reservasset. Subiit tamen vim illam nefariam

conscleratorum latronum et, cum ad fratris salutem a populo Romano deprecandam venisset, pulsus e rostris in comitio iacuit seque servorum et libertorum corporibus obtexit vitamque tum suam noctis et fugae praesidio, non iuris iudiciorumque defendit. Meministis 77 tum, iudices, corporibus civium Tiberim compleri, cloacas refarciri, e foro spongiis effingi sanguinem, ut omnes tantam illam copiam et tam magnificum apparatum non privatum aut plebeium, sed patricium et praetorium esse arbitrarentur.

XXXVI. Nihil neque ante hoc tempus neque hoc ipso turbulentissimo die criminamini Sestium. 'Atqui vis in foro versata est.' Certe: quando enim maior? lapidationes persaepe vidimus, non ita saepe, sed nimium tamen saepe gladios: caedem vero tantam, tantos acervos corporum exstructos, nisi forte illo Cinnano atque Octaviano die, quis umquam in foro vidit? Qua ex concitatione animorum? Nam ex pertinacia aut constantia intercessoris oritur saepe seditio culpa atque improbitate latoris commodo aliquo *oblato* imperitis aut largitione; oritur ex concertatione magistratuum; oritur sensim ex clamore primum, deinde aliqua discessione contionis; vix sero et raro ad manus pervenitur: nullo vero verbo facto, nulla contione advocata, nulla *lata* lege concitatam noctur- 78 nam seditionem quis audivit? An veri simile est, ut civis Romanus aut homo liber quisquam cum gladio in forum descenderit ante lucem, ne de me ferri pateretur, praeter eos, qui ab illo pestifero ac perdito civi iam pridem rei publicae sanguine saginantur? Hic iam de ipso accusatore quaero, qui P. Sestium queritur cum multitudine in tribunatu et cum praesidio magno fuisse,

num illo die fuerit? Certe non fuit. Victa igitur est causa rei publicae et victa non auspiciis, non intercessione, non suffragiis, sed vi, manu, ferro. Nam si obnuntiasset Fabricio is [praetor], qui se servasse de caelo dixerat, accepisset res publica plagam, sed eam, quam acceptam gemere posset; si intercessisset collega Fabricio, laesisset rem publicam, sed rei publicae iure laesisset. Gladiatores tu novicios, pro exspectata aedilitate suppositos, cum sicariis e carcere emissis ante lucem immittas? magistratus templo deicias? caedem maximam facias? forum purges? et, cum omnia vi et armis egeris, accuses eum, qui se praesidio munierit, non ut te oppugnaret, sed ut vitam suam posset defendere?

XXXVII. Atqui ne ex eo quidem tempore id egit 79 Sestius, ut a suis munitus tuto in foro magistratum gereret, rem publicam administraret. Itaque fretus sanctitate tribunatus, cum se non modo contra vim et ferrum, sed etiam contra verba atque interfationem legibus sacratis esse armatum putaret, venit in templum Castoris, obnuntiavit consuli: cum subito manus illa Clodiana, in caede civium saepe iam victrix, exclamat, incitatur, invadit; inermem atque imparatum tribunum alii gladiis adoriuntur, alii fragmentis saeptorum et fustibus; a quibus hic multis vulneribus acceptis ac debilitato corpore et contrucidato se abiecit exanimatus neque ulla alia re ab se mortem nisi opinione mortis depulit. Quem cum iacentem et concisum plurimis vulneribus extremo spiritu exsanguem et confectum viderent, defetigatione magis et errore quam misericordia et modo aliquando caedere destiterunt. Et 80 causam dicit Sestius de vi? quid ita? Quia vivit.

[redacted]

appellaret? rerum capitalium condemnatos in liberas civitates per legatos nostros reduceret? principem civitatis ferro obsessum teneret? Haec ut efficere posset, quae fieri nisi armis oppressa re publica nullo modo poterant, idcirco, credo, manum sibi P. Sestius et copias comparavit. 'At nondum erat maturum; nondum res ipsa ad eius modi praesidia viros bonos compellebat.' Pulsi nos eramus, non omnino ista manu sola, sed tamen non sine ista: vos taciti maere-
85 batis. Captum erat forum anno superiore, aede Castoris tamquam arce aliqua a fugitivis occupata: silebatur. Omnia hominum cum egestate tum audacia perditorum clamore concursu, vi manu gerebantur: perferebatis. Magistratus templis pellebantur, alii omnino aditu ac foro prohibebantur: nemo resistebat. Gladiatores ex praetoris comitatu comprehensi, in senatum introducti, confessi, in vincla coniecti a Milone, emissi a Serrano: mentio nulla. Forum corporibus civium Romanorum constratum caedo nocturna: non modo nulla nova quaestio, sed etiam vetera iudicia sublata. Tribunum plebis plus viginti vulneribus acceptis iacentem moribundumque vidistis: alterius tribuni plebis, hominis— dicam enim quod sentio et quod mecum sentiunt omnes, —divini, insigni quadam, inaudita, nova magnitudine animi, gravitate, fide praediti, domus est oppugnata ferro facibus exercitu Clodiano.

XL. Et tu hoc loco laudas Milonem et iure laudas. Quem enim umquam virum tam immortali virtute vidimus? qui nullo praemio proposito praeter hoc, quod iam contritum et contemptum putatur, iudicium bonorum, omnia pericula, summos labores, gravissimas contentiones inimicitiasque suscepit; qui mihi unus

ex omnibus civibus videtur re docuisse, non verbis, et quid oporteret a praestantibus viris in re publica fieri et quid necesse esset: oportere hominum audacium eversorum rei publicae scelleri legibus et iudiciis resistere; si leges non valerent, iudicia non essent, si res publica vi consensuque audacium armis oppressa teneretur, praesidio et copiis defendi vitam et libertatem necesse esse. Hoc sentire prudentiae est, facere fortitudinis, et sentire vero et facere perfectae cumulateque virtutis. Adiit ad rem publicam tribunus pl. Milo— 87
(de cuius laude plura dicam, non quo aut ipse haec dici quam existimari malit aut ego huno laudis fructum praesenti libenter impertiam, praesertim cum verbis consequi non possim, sed quod existimo, si Milonis causam accusatoris voce conlaudatam probaro, vos in hoc crimine parem Sesti causam existimaturos) adiit igitur T. Annius ad causam rei publicae sic, ut civem patriae recuperare vellet ereptum. Simplex causa, constans ratio, plena consensionis omnium, plena concordiae. Collegas adiutores habebat: consulis alterius summum studium, alterius animus paene placatus: de praetoribus unus alienus: senatus incredibilis voluntas, equitum Romanorum animi ad causam excitati, erecta Italia. Duo soli erant empti ad impediendum; qui si homines despecti et contempti tantam rem sustinere non potuissent, se causam, quam susceperat, nullo labore peracturum videbat. Agebat auctoritate, agebat consilio, agebat per summum ordinem, agebat exemplo bonorum ac fortium civium; quid re publica, quid se dignum esset, quis ipse esset, quid sperare, quid maioribus suis reddere deberet, diligentissime cogitabat.

XLI. Huic gravitati hominis videbat ille gladiator 8

se, si moribus ageret, parem esse non posse: ad cotidianam caedem, incendia, rapinas se cum exercitu suo contulit; domum oppugnare, itineribus occurrere, vi lacessere et terrere coepit. Non movit hominem summa gravitate summaque constantia; sed quamquam dolor animi, innata libertas, prompta excellensque virtus fortissimum virum hortabatur, vi vim oblatam, praesertim saepius, ut frangeret et refutaret, tanta moderatio fuit hominis, tantum consilium, ut contineret dolorem neque eadem se re ulcisceretur, qua esset lacessitus, sed illum tot iam in funeribus rei publicae exsultantem ac tripudiantem legum, si posset, laqueis constringeret.

89 Descendit ad accusandum. Quis umquam tam proprie rei publicae causa, nullis inimicitiis, nullis praemiis, nulla hominum postulatione aut etiam opinione id eum umquam esse facturum? Fracti erant animi hominis; hoc enim accusante pristini illius sui iudicii turpitudinem desperabat. Ecce tibi consul, praetor, tribunus plebis nova novi generis edicta proponunt, ne reus adsit, ne citetur, ne quaeratur, ne mentionem omnino cuiquam iudicum aut iudiciorum facere liceat! Quid ageret vir ad virtutem, dignitatem, gloriam natus vi sceleratorum hominum conroborata, legibus iudiciisque sublatis? Cervices tribunus plebis privato, praestantissimus vir profligatissimo homini daret, an causam susceptam abiceret, an se domi contineret? et vinci turpe putavit et deterreri et latere; perfecit ut, quoniam sibi in illum legibus uti non liceret, illius vim neque in suo neque in rei publicae periculo pertimesceret.

90 XLII. Quo modo igitur hoc in genere praesidii comparati accusas Sestium, cum idem laudes Milonem? An qui sua tecta defendit, qui ab aris, focis ferrum

flammamque depellit, qui sibi licere volt tuto esse in foro, in templo, in curia, iure praesidium comparat: qui volneribus, quae cernit cotidie toto corpore, monetur ut aliquo praesidio caput et cervices et iugulum ac latera tutetur, huno de vi accusandum putas? Quis enim nostrum, iudices, ignorat ita naturam rerum tulisse, ut quodam tempore homines nondum neque naturali neque civili iure descripto fusi per agros ac dispersi vagarentur tantumque haberent, quantum manu ac viribus per caedem ac vulnera aut eripere aut retinere potuissent? Qui igitur primi virtute et consilio praestanti exstiterunt, ii perspecto genere humanae docilitatis atque ingenii dissipatos unum in locum congregarunt eosque ex feritate illa ad iustitiam atque ad mansuetudinem transduxerunt. Tum res ad communem utilitatem, quas publicas appellamus, tum conventicula hominum, quae postea civitates nominatae sunt, tum domicilia coniuncta, quas urbis dicimus invento et divino iure et humano moenibus saepserunt. Atque inter hanc vitam perpolitam humanitate et illam immanem nihil tam interest quam ius atque vis. Horum utro uti nolumus, altero est utendum. Vim volumus exstingui: ius valeat necesse est, id est iudicia, quibus omne ius continetur. Iudicia displicent aut nulla sunt: vis dominetur necesse est. Hoc video omnes: Milo et vidit et fecit, ut ius experiretur, vim depelleret. Altero uti voluit, ut virtus audaciam vin ceret; altero usus necessario est, ne virtus ab audac vinceretur. Eademque ratio fuit Sesti, si minus accusando—neque enim per omnis fuit idem licere necesse—, at certe in necessitate defendendae salu suae praesidioque contra vim et manum comparand

93 XLIII. O di immortales! quemnam ostenditis exitum nobis? quam spem rei publicae datis? quotus quisque invenietur tanta virtute vir, qui optimam quamque causam rei publicae amplectatur, qui bonis viris deserviat, qui solidam laudem veramque quaerat? cum sciat duo illa rei publicae paene fata, Gabinium et Pisonem, alterum haurire cotidie ex pacatissimis atque opulentissimis Syriae gazis innumerabile pondus auri, bellum inferre quiescentibus, ut eorum veteres inliba- eque divitias in profundissimum libidinum suarum rgitem profundat; villam aedificare in oculis omnium tam, tugurium ut iam videatur esse illa villa, quam e tribunus plebis pictam olim in contionibus explica-, quo fortissimum ac summum civem in invidiam no castus ac non cupidus vocaret: alterum Thracibus Dardanis primum pacem maxima pecunia vendidisse, deinde, ut illi pecuniam conficere possent, vexandam Macedoniam et spoliandam tradidisse; eundemque bona creditorum civium Romanorum, cum debitoribus Graecis divisisse, cogere pecunias maximas a Dyrrachinis, spoliare Thessalos, certam Achaeis in annos singulos pecuniam imperavisse neque tamen ullo in publico aut religioso loco signum aut tabulam aut ornamentum reliquisse; illos sic inludere, quibus omne supplicium atque omnis iure optimo poena debetur; reos esse hos duos, quos videtis. Omitto iam Numerium, Serranum, Aelium, quisquilias seditionis Clodianae; sed tamen hi quoque etiam nunc volitant, ut videtis, nec, dum vos de vobis aliquid timebitis, illi umquam de se pertimescent.

94 XLIV. Nam quid ego de aedile ipso loquar, qui etiam diem dixit et accusavit de vi Milonem? Neque

hic tamen ulla umquam iniuria adducetur, ut eum ta virtute tantaque firmitate animi se in rem publica fuisse paeniteat: sed qui haec vident adulescente quonam suas mentes conferent? Ille, qui monument publica, qui aedis sacras, qui domos inimicorum su rum oppugnavit, excidit, incendit, qui stipatus sempe sicariis, saeptus armatis, munitus indicibus fuit, qu rum hodie copia redundat, qui et peregrinam manu facinerosorum concitavit et servos ad caedem idonec emit et in tribunatu carcerem totum in forum effudi volitat aedilis, accusat eum, qui aliqua ex parte eiu furorem exsultantem repressit; hic, qui se est tutatu sic, ut in privata re deos penatis suos, in re public iura tribunatus atque auspicia defenderet, accusa eum moderate, a quo ipse nefarie accusatur, per senatu auctoritatem non est situs. Nimirum hoc illud es quod de me potissimum tu in accusatione quaesisti qua esset nostra 'natio optimatium'; sic enim dixisti. Re quaeris praeclaram iuventuti ad discendum nec mil difficilem ad perdocendum; de qua pauca, iudice dicam: et, ut arbitror, nec ab utilitate eorum qu audient, nec ab officio vestro nec ab ipsa causa S Sesti abhorrebit oratio mea.

95 XLV. Duo genera semper in hac civitate fuerun eorum, qui versari in re publica atque in ea se exce lentius gerere studuerunt: quibus ex generibus alte se populares, alteri optimates et haberi et esse volue runt. Qui ea, quae faciebant quaeque dicebant, mult tudini iucunda volebant esse, populares, qui autem it se gerebant, ut sua consilia optimo cuique probaren optimates habebantur. 'Quis ergo iste optimus qui que'? Numero, si quaeris, innumerabiles (neque enir

stare possemus); sunt principes consilii publici, qui eorum sectam sequuntur, sunt maximorum m homines, quibus patet curia, sunt municipales que Romani, sunt negotii gerentes, sunt etiam ni optimates. Numerus, ut dixi, huius generis ; varie diffusus est, sed genus universum, ut tol- error, brevi circumscribi et definiri potest. Om- ptimates sunt, qui neque nocentes sunt nec a improbi nec furiosi nec malis domesticis impe-

Est igitur, ut ii sint, quam tu 'nationem' appel- qui integri sunt et sani et bene de rebus domesti- nstituti. Horum qui voluntati, commodis, opini- is in gubernanda re publica serviunt, defensores natium ipsique optimates gravissimi et clarissimi numerantur et principes civitatis. Quid est r propositum his rei publicae gubernatoribus, quod ri et quo cursum suum derigere debeant? Id l est praestantissimum maximeque optabile omni- anis et bonis et beatis, cum dignitate otium. Hoc volunt, omnes optimates, qui efficiunt, summi viri conservatores civitatis putantur. Neque enim im gerendarum dignitate homines eoferri ita con- it, ut otio non prospiciant, neque ullum amplexari im, quod abhorreat a dignitate.

XLVI. Huius autem otiosae dignitatis haec fun- menta sunt, haec membra, quae tuenda principibus vel capitis periculo defendenda sunt; religiones, aus- cia, potestates magistratuum, senatus auctoritas, ges, mos maiorum, iudicia, iuris dictio, fides, provin- ae, socii, imperii laus, res militaris, aerarium. Harum rum *tot* atque tantarum esse defensorem et patronum agni *animi* est, magni ingenii magnaeque constantiae.

Etenim in tanto civium numero magna multitudo est eorum, qui aut propter metum poenae peccatorum suorum conscii novos motus conversionesque rei publicae quaerant, aut qui propter insitum quendam animi furorem discordiis civium ac seditione pascantur, aut qui propter implicationem rei familiaris communi incendio malint quam suo deflagrare. Qui cum auctores sunt et duces suorum studiorum vitiorumque nacti, in re publica fluctus excitantur, ut vigilandum sit iis, qui sibi gubernacula patriae depoposcerunt, enitendumque omni scientia ac diligentia, ut conservatis iis, quae ego paulo ante fundamenta ac membra esse dixi, tenere cursum possint et capere otii illum portum et dignitatis. Hanc ego viam, iudices, si aut asperam atque arduam aut plenam esse periculorum aut insidiarum negem, mentiar; praesertim cum id non modo intellexerim semper, sed etiam praeter ceteros senserim.

XLVII. Maioribus praesidiis et copiis oppugnatur res publica quam defenditur, propterea quod audaces homines et perditi nutu impelluntur et ipsi etiam sponte sua contra rem publicam incitantur; boni nescio quo modo tardiores sunt et principiis rerum neglectis ad extremum ipsa denique necessitate excitantur, ita ut nonnumquam cunctatione ac tarditate, dum otium volunt etiam sine dignitate retinere, ipsi utrumque amittant. Propugnatores autem rei publicae qui esse voluerunt, si leviores sunt, desciscunt; si timidiores, desunt: permanent illi soli atque omnia rei publicae causa perferunt, qui sunt tales, qualis pater tuus, M. Scaure, fuit, qui a C. Graccho usque ad Q. Varium seditiosis omnibus restitit, quem numquam ulla vis, ullae minae, ulla invidia labefecit; aut qualis Q. Metellus,

patruus matris tuae, qui cum florentem hominem in populari ratione, L. Saturninum, censor notasset cumque insitivum Gracchum contra vim multitudinis incitatae censu prohibuisset cumque in eam legem, quam non iure rogatam iudicarat, iurare unus noluisset, de civitate maluit quam de sententia demoveri; aut, ut vetera exempla, quorum est copia digna huius imperii gloria, relinquam neve eorum aliquem, qui vivunt, nominem, qualis nuper Q. Catulus fuit, quem neque periculi tempestas neque honoris aura potuit umquam de suo cursu aut spe aut metu demovere.

102 XLVIII. Haec imitamini, per deos immortalis, qui dignitatem, qui laudem, qui gloriam quaeritis! Haec ampla sunt, haec divina, haec immortalia; haec fama celebrantur, monumentis annalium mandantur, posteritati propagantur. Est labor, non nego; pericula magna, fateor;

'múltae insidiae súnt bonis'

verissime dictum est; sed te

'íd, quod multi invídeant multique éxpetant, inscítiast,' inquit,

'póstulare, nísi laborem súmma cum cura éoferas.'

Nollem idem alio loco dixisset, quod exciperent improbi cives:

'óderint, dum métuant.'

103 Praeclara enim illa praecepta dederat iuventuti. Sed tamen haec via ac ratio rei publicae capessendae olim erat magis pertimescenda, cum multis in rebus multitudinis studium ac populi commodum ab utilitate rei publicae discrepabat. Tabellaria lex ab L. Cassio ferebatur. Populus libertatem agi putabat suam. Dissentiebant principes et in salute optimatium temeritatem mul

titudinis et tabellae licentiam pertimescebant. Agrariam Ti. Gracchus legem ferebat. Grata erat populo; fortunae constitui tenuiorum videbantur. Nitebantur contra optimates, quod et discordiam excitari videbant, et, cum locupletes possessionibus diuturnis moverentur, spoliari rem publicam propugnatoribus arbitrabantur. Frumentariam legem C. Gracchus ferebat. Iucunda res plebei; victus enim suppeditabatur large sine labore. Repugnabant boni, quod et ab industria plebem ad desidiam avocari putabant et aerarium exhauriri videbant. XLIX. Multa etiam nostra memoria, quae consulto praetereo, fuerunt in ea contentione, ut popularis cupiditas a consilio principum dissideret. Nunc iam 104 nihil est, quod populus a delectis principibusque dissentiat: nec flagitat rem ullam neque novarum rerum est cupidus et otio suo et dignitate optimi cuiusque et universae rei publicae gloria delectatur. Itaque homines seditiosi ac turbulenti, quia nulla iam largitione populum Romanum concitare possunt, quod plebes perfuncta gravissimis seditionibus ac discordiis otium amplexatur, conductas habent contiones neque id agunt ut ea dicant aut ferant, quae illi velint audire, qui in contione sunt, sed pretio ac mercede perficiunt, ut quidquid dicant, id illi velle audire videantur. Num vos existimatis Gracchos aut Saturninum aut 105 quemquam illorum veterum, qui populares habebantur, ullum umquam in contione habuisse conductum? Nemo habuit; ipsa enim largitio et spes commodi propositi sine mercede ulla multitudinem concitabat. Itaque temporibus illis qui populares erant, offendebant illi quidem apud gravis et honestos homines, sed populi iudiciis atque omni significatione florebant

theatro plaudebatur, hi suffragiis quod contenderant consequebantur, horum homines nomen, orationem, vultum, incessum amabant. Qui autem adversabantur ei generi, graves et magni homines habebantur; sed valebant in senatu multum, apud bonos viros plurimum; multitudini iucundi non erant, suffragiis offendebatur saepe eorum voluntas; plausum vero etiam si quis eorum aliquando acceperat, ne quid peccasset pertimescebat. Ac tamen, si quae res erat maior, idem ille populus horum auctoritate maxime commovebatur.

106 L. Nunc, nisi me fallit, in eo statu civitas est, ut, si operas conductorum removeris, omnes idem de re publica sensuri esse videantur. Etenim tribus locis significari maxime populi Romani iudicium ac voluntas potest, contione, comitiis, ludorum gladiatorumque consessu. Quae contio fuit per hos annos, quae quidem esset non conducta sed vera, in qua populi Romani consensus perspici non posset? Habitae sunt multae de me a gladiatore sceleratissimo, ad quas nemo adibat incorruptus, nemo integer; nemo illum foedum vultum adspicere, nemo furialem vocem bonus audire poterat. Erant illae contiones perditorum
107 hominum necessario turbulentae. Habuit de eodem me P. Lentulus consul contionem; concursus est populi Romani factus; omnes ordines, tota in illa contione Italia constitit. Egit causam summa cum gravitate copiaque dicendi tanto silentio, tanta adprobatione omnium, nihil ut umquam videretur tam populare ad populi Romani aures accidisse. Productus est ab eo Cn. Pompeius, qui se non solum auctorem meae salutis, sed etiam supplicem populo Romano

praebuit. Huius oratio ut semper gravis et grata in contionibus fuit, sic contendo numquam neque eloquentia eam neque incunditate fuisse maiore. Quo 108
silentio sunt auditi de me ceteri principes civitatis! quos idcirco non appello hoc loco, ne mea oratio, si minus de aliquo dixero, ingrata, si satis de omnibus, infinita esse videatur. Cedo nunc eiusdem illius inimici mei de me eodem ad verum populum in campo Martio contionem! quis non modo adprobavit, sed non indignissimum facinus putavit illum non dicam loqui, sed vivere ac spirare? quis fuit qui non eius voce maculari rem publicam seque, si eum audiret, scelere adstringi arbitraretur?

LI. Venio ad comitia, sive magistratuum placet 109
sive legum. Leges videmus saepe ferri multas. Omitto eas, quae feruntur ita, vix ut quini, et ii ex aliena tribu, qui suffragium ferant, reperiantur. De me, quem tyrannum atque ereptorem libertatis esse dicebat illa ruina rei publicae, dicit se legem tulisse. Quis est qui se, cum contra me ferebatur, iniisse suffragium confiteatur? cum autem de me eodem ex senatus consulto comitiis centuriatis ferebatur, quis est qui non profiteatur se adfuisse et suffragium de salute mea tulisse? Utra igitur causa popularis debet videri, in qua omnes honestates civitatis, omnes aetates, omnes ordines una consentiunt, an in qua furiae concitatae tamquam ad funus rei publicae convolant? An, sicubi aderit Gellius, homo et fratre indignus, 110
viro clarissimo atque optimo consule, et ordine equestri, cuius ille ordinis nomen retinet, ornamenta confecit, id erit populare? 'Est enim homo iste populo Romano deditus.' Nihil vidi magis; qui, cum eius

adulescentia in amplissimis honoribus summi viri, L. Philippi vitrici, florere potuisset, usque eo non fuit popularis, ut bona solus comesset. Deinde ex impuro adulescente et petulante, postenquam rem paternam ab idiotarum divitiis ad philosophorum reculam perduxit, Graeculum se atque otiosum putari voluit, studio litterarum se subito dedidit. Nihil satiabant eum libelli, pro vino etiam saepe oppignerabantur; manebat insaturabile abdomen, copiae deficiebant. Itaque semper versabatur in spe rerum novarum; otio et tranquillitate rei publicae consenescebat.

LII. Ecquae seditio umquam fuit, in qua non ille princeps? ecqui seditiosus cui ille non familiaris? ecquae turbulenta contio cuius ille non concitator? cui bene dixit umquam bono? bene dixit? immo quem fortem et bonum civem non petulantissime est insectatus? qui, ut credo, non libidinis causa, sed, 111 ut plebicola videretur, libertinam duxit uxorem. Is de me suffragium tulit, is adfuit, is interfuit epulis et gratulationibus parricidarum. In quo tamen est me ultus, cum illo ore inimicos est meos saviatus: qui quasi mea culpa bona perdiderit, ita ob eam ipsam causam est mihi inimicus, quia nihil habet. Utrum ego tibi patrimonium eripui, Golli, an tu comedisti? quid, tu meo periculo, gurges ac vorago patrimonii, helluabare, ut, si ego consul rem publicam contra te et gregalis tuos defendissem, in civitate esse me nolles? Te nemo tuorum videre volt, omnes aditum, sermonem, congressum tuum fugiunt; te sororis filius Postumius, adulescens gravis senili iudicio, notavit, cum in magno numero tutorem liberis

non instituit. Sed latus odio et meo et rei publicae nomine, quorum illo utri sit inimicior nescio, plura dixi, quam dicendum fuit, in furiosissimum atque egentissimum ganeonem. Illuc revertor: contra me 112 cum est latum capta urbe atque oppressa, Gellium, Firmidium, Titium, eiusdem modi furias illis mercennariis gregibus duces et auctores fuisse, cum ipse lator nihil ab horum turpitudine, audacia, sordibus abhorreret. At cum de dignitate mea ferebatur, nemo sibi nec valetudinis excusationem nec senectutis satis iustam [ullam] putavit; nemo fuit, qui se non rem publicam mecum simul revocare in suas sedes arbitraretur.

LIII. Videamus nunc comitia magistratuum. 113 Fuit conlegium nuper tribunicium, in quo tres minime, vehementer duo populares existimabantur. Ex iis, qui populares non habebantur, quibus in illo genere conductarum contionum consistendi potestas non erat, duo a populo Romano praetores video esse factos; et, quantum sermonibus vulgi et suffragiis intellegere potui, prae se populus Romanus ferebat, sibi illum in tribunatu Cn. Domiti animum constantem et egregium et Q. Anchari fidem ac fortitudinem, etiam si nihil agere potuissent, tamen voluntate ipsa gratum fuisse. Iam de C. Fannio quae sit existimatio, videmus; quod iudicium populi Romani in honoribus eius futurum sit, nemini dubium esse debet. Quid? populares illi 114 duo quid egerunt? Alter, qui tamen se continuerat, tulerat nihil, senserat tantum de re publica aliud atque homines exspectabant, vir et bonus et innocens et bonis viris semper probatus, quod parum videlicet intellexit in tribunatu, quid vero populo probaretur,

et quod illum esse populum Romanum, qui in contione erat, arbitrabatur, non tenuit eum locum, in quem, nisi popularis esse voluisset, facillime pervenisset. Alter, qui ita se in populari ratione iactarat, ut auspicia, legem Aeliam, senatus auctoritatem, consulem, collegas, bonorum iudicium nihili putaret, aedilitatem petivit cum bonis viris et hominibus primis, sed non praestantissimis opibus et gratia : tribum suam non tulit, Palatinam denique, per quam omnes illae pestes vexare rem publicam dicebantur, perdidit ; nec quicquam illis comitiis quod boni viri vellent nisi repulsam tulit. Videtis igitur populum ipsum, ut ita dicam, iam non esse popularem, qui ita vehementer eos, qui populares habentur, respuat, eos autem, qui ei generi adversantur, honore dignissimos iudicet.

115 LIV. Veniamus ad ludos : facit enim, iudices, vester iste in me animorum oculorumque coniectus, ut mihi iam licere putem remissiore uti genere dicendi. Comitiorum et contionum significationes sunt nonnumquam vitiatae atque corruptae ; theatrales gladiatoriique consessus dicuntur omnino solere levitate non nullorum emptos plausus exilis et raros excitare. Ac tamen facile est, cum id fit, quem ad modum et a quibus fiat et quid integra multitudo faciat, videre. Quid ego nunc dicam, quibus viris aut cui generi civium maxime plaudatur ? Neminem vestrum fallit. Sit hoc sane leve, quod non ita est, quoniam optimo cuique impertitur ; sed, si est leve, homini gravi leve est ; ei vero, qui pendet rebus levissimis, qui rumore et, ut ipsi loquuntur, favore populi tenetur et ducitur, plausum immortalitatem, sibilum mortem videri ne-
116 cesse est. Ex te igitur, Scaure, potissimum quaero,

qui ludos apparatissimos magnificentissimosque fecisti, ecquis istorum popularium tuos ludos adspexerit, ecquis se theatro populoque Romano commiserit. Ipse ille maxime ludius, non solum spectator, sed actor et acroama, qui omnia sororis embolia novit, qui in coetum mulierum pro psaltria adducitur, nec tuos ludos adspexit in illo ardenti tribunatu suo nec ullos alios nisi eos, a quibus vix vivus effugit. Semel, inquam, se ludis homo popularis commisit omnino, cum in templo Virtutis honos habitus esset virtuti Gaique Mari, conservatoris huius imperii, monumentum municipi eius et rei publicae defensori sedem ad salutem praebuisset.

LV. Quo quidem tempore quid populus Romanus 117 sentire se ostenderet, utroque in genere declaratum est : primum cum audito senatus consulto rei ipsi atque absenti senatui plausus est ab universis datus ; deinde, cum senatoribus singulis spectatum e senatu redeuntibus ; cum vero ipse, qui ludos faciebat, consul adsedit, stantes ei manibus passis gratias agentes et lacrimantes gaudio suam erga me benevolentiam ac misericordiam declararunt. At cum ille furibundus incitata illa sua vaecordi mente venisset, vix se populus Romanus tenuit, vix homines odium suum a corpore eius impuro atque infando represserunt ; voces quidem et palmarum intentus et maledictorum clamorem omnes profuderunt. Sed quid ego populi Romani 118 animum virtutemque commemoro, libertatem iam ex diuturna servitute dispicientis, in eo homine, cui tum petenti iam aedilitatem ne histriones quidem coram sedenti pepercerunt ? Nam cum ageretur togata, 'Simulans', ut opinor, caterva tota clarissima concen-

tione in ore impuri hominis imminens contionata est:

'huic, Tito,
tua póst principia atque éxitus vitiósae vitae—!'

Sedebat exanimatus, et is, qui antea cantorum convicio contiones celebrare suas solebat, cantorum ipsorum vocibus eiciebatur. Et quoniam facta mentio est ludorum, ne illud quidem praetermittam, in magna varietate sententiarum numquam ullum fuisse locum, in quo aliquid a poëta dictum cadere in tempus nostrum videretur, quod aut populum universum fugeret
119 aut non exprimeret ipse actor. Et quaeso hoc loco, iudices, ne qua levitate me ductum ad insolitum genus dicendi labi putetis, si de poëtis, de histrionibus, de ludis in iudicio loquar. LVI. Non sum tam ignarus, iudices, causarum, non tam insolens in dicendo, ut omni ex genere orationem aucuper et omnis undique floscu-los carpam atque delibem. Scio quid gravitas vestra, quid haec advocatio, quid ille conventus, quid dignitas P. Sesti, quid periculi magnitudo, quid aetas, quid honos meus postulet. Sed mihi sumpsi hoc loco doctrinam quandam iuventuti, qui essent optimates. In ea explicanda demonstrandum est non esse popularis omnis eos, qui putentur. Id facillime consequar, si universi populi iudicium verum et incorruptum et si intimos
120 sensus civitatis expressero. Quid fuit illud, quod recenti nuntio de illo senatus consulto, quod factum est in templo Virtutis, ad ludos scaenamque perlato consessu maximo summus artifex et me hercule semper partium in re publica tam quam in scaena optimarum flens et recenti laetitia et mixto dolore ac desiderio mei egit ad populum Romanum multo gravioribus verbis meam

causam, quam egomet de me agere potuissem? Summi enim poëtae ingenium non solum arte sua, sed etiam dolore exprimebat. Qua enim vi

'quí rem publicám certo animo adiúverit
státuerit steterít cum Achivis'—

vobiscum me stetisse dicébat, vestros ordines demonstrabat: revocabatur ab universis—

're dubia
háut dubitarit vítam offerre néc capiti pepércerit:'

haec quantis ab illo clamoribus agebantur! cum iam 121 omisso gestu verbis poëtae et studio actoris et exspectationi nostrae plauderetur:

'súmmum amicum, súmmo in bello'—

nam illud ipse actor adiungebat amico animo et fortasse homines propter aliquod desiderium adprobabant:

'súmmo ingenio praéditum!'

LVII. Iam illa quanto cum gemitu populi Romani ab eodem paulo post in eadem fabula sunt acta!

'O pater!'...

Me, me ille absentem ut patrem deplorandum putabat, quem Q. Catulus, quem multi alii saepe in senatu patrem patriae nominarant. Quanto cum fletu de illis nostris incendiis ac ruinis, cum patrem pulsum, patriam adflictam, deploraret, domum incensam eversamque, sic egit, ut, demonstrata pristina fortuna cum se convertisset:

'haec ómnia vidi inflámmari'

fletum etiam inimicis atque invidis excitaret! Pro di 122 immortales! quid? illa quem ad modum dixit idem! quae mihi quidem ita et acta et scripta videntur esse, ut vel a Q. Catulo, si revixisset, praeclare posse dici viderentur; is enim libere reprehendere et accusare populi

nonnumquam temeritatem solebat aut errorem senatus:

'o ingratifici Argívi, inmunes Gráii, inmemores bénefici!'

Non erat illud quidem verum; non enim ingrati, sed miseri, quibus reddere salutem, a quo acceperant, non liceret, nec unus in quemquam umquam gratior quam in me universi; sed tamen illud scripsit disertissimus poëta pro me, egit fortissimus actor, non solum optimus, de me, cum omnis ordines demonstraret, senatum, equites Romanos, universum populum Romanum accusaret:

'éxulare sínitis, sistis pélli, pulsum pátimini.'

Quae tum significatio fuerit omnium, quae declaratio voluntatis ab universo populo Romano in causa hominis non popularis, equidem audiebam, existimare
123 facilius possunt, qui adfuerunt. LVIII Et quoniam huc me provexit oratio, histrio casum meum totiens conlacrimavit, cum ita dolenter ageret causam meam, ut vox eius illa praeclara lacrimis impediretur; neque poetae, quorum ego semper ingenia dilexi, tempori meo defuerunt; eaque populus Romanus non solum plausu, sed etiam gemitu suo comprobavit. Utrum igitur haec Aesopum potius pro me aut Accium dicere oportuit, si populus Romanus liber esset, an principes civitatis? Nominatim sum appellatus in Bruto:

'Túllius, qui líbertatem cívibus stabilíverat.'

Miliens revocatum est. Parumne videbatur populus Romanus iudicare, id a me et a senatu esse constitutum, quod perditi cives sublatum per nos crimina-
124 bantur? Maximum vero populi Romani iudicium universi consessu gladiatorio declaratum est. Erat enim munus Scipionis, dignum et eo ipso et illo Q.

Metello, cui dabatur. Id autem spectaculi genus erat, quod omni frequentia atque omni genere hominum celebratur, quo multitudo maxime delectatur. In hunc consessum P. Sestius, tribunus plebis, cum ageret nihil aliud in eo magistratu nisi meam causam, venit et se populo dedit, non plausus cupiditate, sed ut ipsi inimici nostri voluntatem universi populi viderent. Venit, ut scitis, a columna Maenia. Tantus est ex omnibus spectaculis usque a Capitolio, tantus ex fori cancellis plausus excitatus, ut numquam maior consensio aut apertior populi Romani universi fuisse ulla in causa diceretur. Ubi erant tum illi contionum 125
moderatores, legum domini, civium expulsores? aliusne est aliquis improbis civibus peculiaris populus, cui nos offensi invisique fuerimus?

LIX. Equidem existimo nullum tempus esse frequentioris populi quam illud gladiatorium neque contionis ullius neque vero ullorum comitiorum. Haec igitur innumerabilis hominum multitudo, haec populi Romani tanta significatio sine ulla varietate universi, cum illis ipsis diebus de me actum iri putaretur, quid declaravit nisi optimorum civium salutem et dignitatem populo Romano caram esse universo? At vero 126
ille praetor, qui de me non patris, avi, proavi, maiorum denique suorum omnium, sed Graeculorum instituto contionem interrogare solebat, 'velletne me redire', et, cum erat reclamatum semivivis mercennariorum vocibus, populum Romanum negare dicebat: is, cum cotidie gladiatores spectaret, numquam est conspectus, cum venirot. Emergebat subito, cum sub tabulas subrepserat, ut 'mater te appello' dicturus videretur. Itaque illa via latebrosior, qua spectatum ille veniebat,

Appia iam vocabatur. Qui tamen quoquo tempore conspectus erat, non modo gladiatores, sed equi ipsi
127 gladiatorum repentinis sibilis extimescebant. Videtisne igitur quantum intersit inter populum Romanum et contionem? dominos contionum omni odio populi notari? quibus autem consistere in operarum contionibus non liceat, eos omni populi Romani significatione decorari?

Tu mihi etiam M. Atilium Regulum commemoras, qui redire ipse Carthaginem sua voluntate ad supplicium, quam sine iis captivis, a quibus ad senatum missus erat, Romae manere maluerit, et mihi negas optandum reditum fuisse per familias comparatas et homines armatos?

LX. Vim scilicet ego desideravi, qui, dum vis fuit, nihil egi, et quem, si vis non fuisset, nulla res
128 labefactare potuisset. Hunc ego reditum repudiarem, qui ita florens fuit, ut verear, ne qui me studio gloriae putet idcirco exisse, ut ita redirem? Quem enim umquam senatus civem nisi me nationibus exteris commendavit? cuius umquam propter salutem nisi meam senatus publice sociis populi Romani gratias egit? De me uno patres conscripti decreverunt ut, qui provincias cum imperio obtinerent, qui quaestores legatique essent, salutem et vitam custodirent. In una mea causa post Romam conditam factum est, ut litteris consularibus ex senatus consulto cuncta ex Italia omnes, qui rem publicam salvam vellent, convocarentur. Quod numquam senatus in universae rei publicae periculo decrevit, id in unius mea salute conservanda decernendum putavit. Quem curia magis requisivit? quem forum luxit? quem aeque ipsa tri-

bunalia desideraverunt? Omnia discessu meo deserta, horrida, muta, plena luctus et maeroris fuerunt. Quis est Italiae locus, in quo non fixum sit in publicis monumentis studium salutis meae, testimonium dignitatis?

LXI. Nam quid ego illa de me divina senatus 129
consulta commemorem? vel quod in templo Iovis Optimi Maximi factum est, cum vir is, qui tripertitas orbis terrarum oras atque regiones tribus triumphis adiunctas huic imperio notavit, de scripto sententia dicta mihi uni testimonium patriae conservatae dedit; cuius sententiam ita frequentissimus senatus secutus est, ut unus dissentiret hostis idque ipsum tabulis publicis mandaretur ad memoriam posteri temporis sempiternam; vel quod est postridie decretum in curia populi ipsius Romani et eorum, qui ex municipiis convenerant, admonitu, ne quis de caelo servaret, ne quis moram ullam adferret; si quis aliter fecisset, eum plane eversorem rei publicae fore idque senatum gravissime laturum, et ut statim de eius facto referretur. Qua gravitate sua cum frequens senatus non nullorum scelus audaciamque tardasset, tamen illud addidit ut, si diebus quinque, quibus agi de me potuisset, non esset actum, redirem in patriam dignitate omni recuperata.

LXII. Decrevit eodem tempore senatus ut iis, 130
qui ex tota Italia salutis meae causa convenerant, agerentur gratiae atque ut idem, ad res redeuntes ut venirent, rogarentur. Haec erat studiorum in mea salute contentio ut ii, qui a senatu de me rogabantur, eidem senatui pro me supplicarent. Atque ita in his rebus unus est solus inventus, qui ab hac tam impensa

voluntate bonorum palam dissideret, ut etiam Q. Metellus consul, qui mihi vel maxime ex magnis contentionibus rei publicae fuisset inimicus, de mea salute rettulerit. Qui excitatus cum summa auctoritate senatus, *tum* P. Servili *divina* quadam gravitate dicendi, cum ille omnis prope ab inferis evocasset Metellos et ad illius generis, quod sibi cum eo commune esset, dignitatem propinqui sui mentem a Clodianis latrociniis reflexisset, cumque eum ad domestici exempli memoriam et ad Numidici illius Metelli casum vel gloriosum vel gravem convertisset, conlacrumavit vir egregius ac vere Metellus totumque se P. Servilio dicenti etiam tum tradidit, nec illam divinam gravitatem plenam antiquitatis diutius homo eiusdem sanguinis potuit sustinere et mecum absens
131 beneficio suo rediit in gratiam. Quod certe, si est aliqui sensus in morte praeclarorum virorum, cum omnibus Metellis, tum vero uni viro fortissimo et praestantissimo civi gratissimum fratri suo fecit, socio laborum, periculorum, consiliorum meorum.

LXIII. Reditus vero meus qui fuerit, quis ignorat? quem ad modum mihi advenienti tamquam totius Italiae atque ipsius patriae dextram porrexerint Brundisini, cum ipsis Nonis Sextilibus idem dies adventus mei fuisset reditusque natalis, idem carissimae filiae, quam ex gravissimo tum primum desiderio luctuque conspexi, idem etiam ipsius coloniae Brundisinae, idem, ut scitis, [*aedis*] *Salutis;* cumque me domus eadem optimorum et doctissimorum virorum, M. Laeni Flacci et patris et fratris eius, laetissima accepisset, quae proximo anno maerens receperat et suo praesidio periculoque defenderat. Cunctae itinere toto urbes

Italiae festos dies agere adventus mei videbantur, vicae multitudine legatorum undique missorum celebrabantur, ad urbem accessus incredibili hominum multitudine et gratulatione florebat, iter a porta, in Capitolium ascensus, domum reditus erat eius modi, ut summa in laetitia illud dolerem, civitatem tam gratam tam miseram atque oppressam fuisse.

Habes igitur, quod ex me quaesisti, qui essent 132
optimates. Non est 'natio', ut dixisti: quod ego verbum agnovi; est enim illius, a quo uno maxime P. Sestius se oppugnari videt, hominis eius, qui hanc 'nationem' deleri et concidi cupivit; qui C. Caesarem, mitem hominem et a caede abhorrentem, saepe increpuit, saepe accusavit, cum adfirmaret illum numquam, dum haec natio viveret, sine cura futurum. Nihil profecit de universis: de me agere non destitit; me oppugnavit primum per indicem Vettium, quem in contione de me et de clarissimis viris interrogavit. In quo tamen eos civis coniunxit eodem periculo et crimine, ut a me inierit gratiam, quod me cum amplissimis et fortissimis viris congregavit.

LXIV. Sed postea mihi nullo meo merito, nisi 133
quod bonis placere cupiebam, omnis est insidias sceleratissime machinatus. Ille ad eos, a quibus audiebatur, cotidie aliquid de me ficti adferebat; ille hominem mihi amicissimum, Cn. Pompeium, monebat, ut meam domum metueret atque a me ipso caveret; ille se sic cum inimico meo copularat, ut illum meae proscriptionis, quam adiuvabat, Sex. Clodius, homo iis dignissimus quibuscum vivit, tabulam, sese scriptorem esse diceret; ille unus ordinis nostri discessu meo, luctu vestro palam exsultavit. De quo ego, cum

cotidie rueret, verbum feci, iudices, numquam neque putavi, cum omnibus machinis ac tormentis, vi, exercitu, copiis oppugnarer, de uno sagittario me queri convenire. Acta mea sibi ait displicere. Quis nescit? qui legem meam contemnat, quae dilucide vetat gladiatores biennio, quo quis petierit aut petiturus sit,
134 dare? In quo eius temeritatem satis mirari, iudices, non queo. Facit apertissime contra legem; facit is, qui neque clabi ex iudicio iucunditate sua neque emitti gratia potest neque opibus et potentia leges ac iudicia perfringere. Quae res hominem impellit ut sit tam intemperans? [Isto nimia gloriae cupiditate] Familiam gladiatoriam, credo, nanctus est speciosam, nobilem, gloriosam. Norat studia populi, videbat clamores et concursus futuros. Hac exspectatione elatus homo flagrans cupiditate gloriae tenere se non potuit, quin eos gladiatores induceret, quorum esset ipse pulcherrimus. Si ob eam causam peccaret pro recenti populi Romani in se beneficio populari studio elatus, tamen ignosceret nemo: cum vero ne de venalibus quidem homines electos, sed ex ergastulis emptos nominibus gladiatoriis ornarit et sortito alios Samnitis, alios provocatores fecerit, tanta licentia, tanta legum contemptio nonne
135 quem habitura sit exitum pertimescit? Sed habet defensiones duas: primum 'Do' inquit 'bestiarios: lex scripta [est] de gladiatoribus'. Festive! Accipite aliquid etiam acutius. Dicet se non gladiatores, sed unum gladiatorem dare et totam aedilitatem in munus hoc transtulisse. Praeclara aedilitas! unus leo, ducenti bestiarii. Verum utatur hac defensione: cupio cum suae causae confidere; solet enim tribunos plebis appellare et vi iudicium disturbare, cum diffidit.

Quem non tam admiror, quod meam legem contemnit hominis inimici, quam quod sic statuit, omnino consularem legem nullam putare. Caeciliam Didiam, Liciniam Iuniam contempsit. Etiamne eius, quem sua lege et suo beneficio ornatum, munitum, armatum solet gloriari, C. Caesaris legem de pecuniis repetundis non putat esse legem? Et aiunt alios esse, qui acta Caesaris rescindant, cum haec optima lex et ab illo socero eius et ab hoc adsecula neglegatur! LXV. Et cohortari ausus est accusator in hac causa vos, iudices, ut aliquando essetis severi, aliquando medicinam adhiberetis rei publicae. Non ea est medicina, cum sanae parti corporis scalpellum adhibetur atque integrae; carnificina est ista et crudelitas: ei medentur rei publicae, qui exsecant pestem aliquam tamquam strumam civitatis.

Sed ut extremum habeat aliquid oratio mea, et ut 136
ego ante dicendi finem faciam quam vos mei tam attente audiendi, concludam illud de optimatibus eorumque principibus ac rei publicae defensoribus, vosque, adulescentes, et qui nobiles estis, ad maiorum vestrorum imitationem excitabo, et qui ingenio ac virtute nobilitatem potestis consequi, ad eam rationem, in qua multi homines novi et honore et gloria floruerunt, cohortabor. Haec est una via, mihi cre- 137
dite, et laudis et dignitatis et honoris, a bonis viris sapientibus et bene natura constitutis laudari et diligi, nosse discriptionem civitatis a maioribus nostris sapientissime constitutam, qui cum regum potestatem non tulissent, ita magistratus annuos creaverunt, ut consilium senatus rei publicae praeponerent sempiternum, deligerentur autem in id consilium ab universo populo

aditusque in illum summum ordinem omnium civium industriae ac virtuti pateret. Senatum rei publicae custodem, praesidem, propugnatorem conlocaverunt; huius ordinis auctoritate uti magistratus et quasi ministros gravissimi consilii esse [voluerunt]; senatum autem ipsum proximorum ordinum splendore confirmari, plebis libertatem et commoda tueri atque augere voluerunt.

138 LXVI. Haec qui pro virili parte defendunt, optimates sunt, cuiuscumque sunt ordinis; qui autem praecipue suis cervicibus tanta munia atque rem publicam sustinent, hi semper habiti sunt optimatium principes, auctores et conservatores civitatis. Huic hominum generi fateor, ut ante dixi, multos adversarios, inimicos, invidos esse, multa proponi pericula, multas inferri iniurias, magnos esse experiundos et subeundos labores: sed mihi omnis oratio est cum virtute, non cum desidia, cum dignitate, non cum voluptate, cum iis, qui se patriae, qui suis civibus, qui laudi, qui gloriae, non qui somno et conviviis et delectationi natos arbitrantur. Nam si qui voluptatibus ducuntur et se vitiorum inlecebris et cupiditatium lenociniis dediderunt, missos faciant honores, ne attingant rem publicam, patiantur virorum fortium laboro

139 se otio suo perfrui. Qui autem bonam famam bonorum, quae sola vere gloria nominari potest, expetunt, aliis otium quaerere debent et voluptates, non sibi. Sudandum est iis pro communibus commodis, adeundae inimicitiae, subeundae saepe pro re publica tempestates: cum multis audacibus, improbis, non numquam etiam potentibus dimicandum. Haec audivimus de clarissimorum virorum consiliis et factis, haec accepimus,

haec legimus. Neque eos in laude positos videmus, qui incitarunt aliquando populi animos ad seditionem, aut qui largitione caecarunt mentes imperitorum, aut qui fortis et claros viros et bene de re publica meritos in invidiam aliquam vocaverunt. Levis hos semper nostri homines et audaces et malos et perniciosos civis putaverunt. At vero qui horum impetus et conatus repressserunt, qui auctoritate, qui fide, qui constantia, qui magnitudine animi consiliis audacium restiterunt, hi graves, hi principes, hi duces, hi auctores huius dignitatis atque imperii semper habiti sunt.

LXVII. Ac ne quis ex nostro aut aliquorum 140 praeterea casu hanc vitae viam pertimescat, unus in hac civitate, quem quidem ego possum dicere, praeclare vir de re publica meritus, L. Opimius, indignissime concidit: cuius monumentum celeberrimum in foro, sepulcrum desertissimum in litore Dyrrachino relictum est. Atque hunc tamen flagrantem invidia propter interitum C. Gracchi semper ipse populus Romanus periculo liberavit; alia quaedam civem egregium iniqui iudicii procella pervertit. Ceteri vero aut, repentina vi perculsi ac tempestate populari, per populum tamen ipsum recreati sunt atque revocati, aut omnino invulnerati inviolatique vixerunt. At vero ii, qui senatus consilium, qui auctoritatem bonorum, qui instituta maiorum neglexerunt et imperitae aut concitatae multitudini iucundi esse voluerunt, omnes fere rei publicae poenas aut praesenti morte aut turpi exsilio dependerunt. Quod si apud Athe- 141 niensis, homines Graecos, longe a nostrorum hominum gravitate diiunctos, non deerant qui rem publicam contra populi temeritatem defenderent, cum omnes,

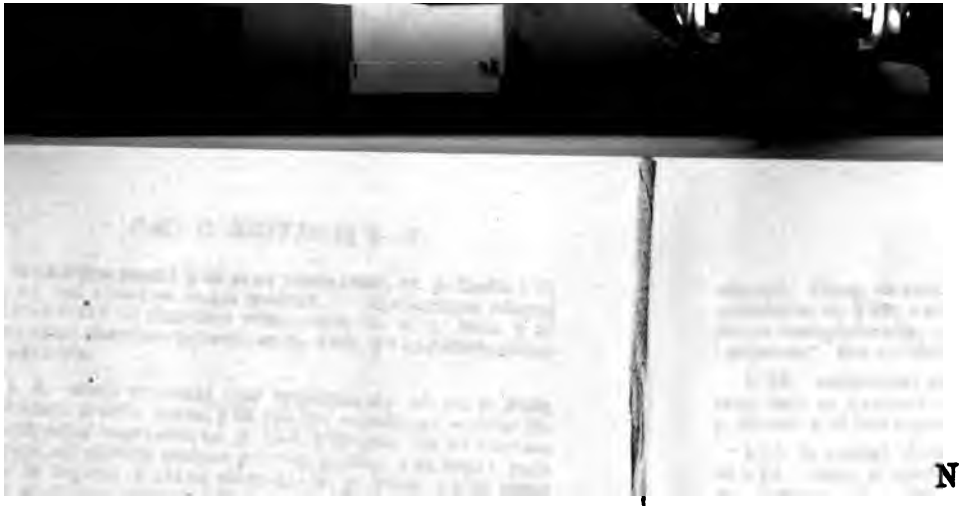
qui ita fecerant, e civitate eicerentur, si Themistoclem illum, conservatorem patriae, non deterruit a re publica defendenda nec Miltiadi calamitas, qui illam civitatem paulo ante servarat, neque Aristidi fuga, qui unus omnium iustissimus fuisse traditur, si postea summi eiusdem civitatis viri, quos nominatim appellari non est necesse, propositis tot exemplis irrcundiae levitatisque popularis tamen suam rem publicam illam defenderunt: quid nos tandem facere debemus, primum in ea civitate nati, unde orta mihi gravitas et magnitudo animi videtur, tum in tanta gloria insistentes, ut omnia humana leviora videri debeant, deinde ad eam rem publicam tuendam adgressi, quae tanta dignitate est, ut eam defendentem occidere optabilius sit quam oppugnantem rerum potiri?

142 LXVIII. Homines Graeci, quos antea nominavi, inique a suis civibus damnati atque expulsi, tamen, quia bene sunt de suis civitatibus meriti, tanta hodie gloria sunt non in Graecia solum, sed etiam apud nos atque in ceteris terris, ut eos, a quibus illi oppressi sint, nemo nominet, horum calamitatem dominationi illorum omnes anteponant. Quis Karthaginiensium pluris fuit Annibale consilio, virtute, rebus gestis, qui unus cum tot imperatoribus nostris per tot annos de imperio et de gloria decertavit? Hunc sui cives e civitate eiecerunt: nos etiam hostem litteris nostris et
143 memoria videmus esse celebratum. Qua re imitemur nostros Brutos, Camillos, Ahalas, Decios, Curios, Fabricios, Maximos, Scipiones, Lentulos, Aemilios, innumerabiles alios, qui hanc rem publicam stabiliverunt: quos equidem in deorum immortalium coetu ac numero repono. Amemus patriam, pareamus senatui, consulamus bonis; praesentis fructus neglegamus, posteritatis gloriae serviamus; id esse optimum putemus, quod erit rectissimum; speremus quae volumus, sed quod acciderit feramus: cogitemus denique corpus virorum fortium magnorumque hominum esse mortale, animi vero motus et virtutis gloriam sempiternam; neque, hanc opinionem si in illo sanctissimo Hercule consecratam videmus, cuius corpore ambusto vitam eius et virtutem immortalitas excepisse dicatur, minus existimemus eos, qui hanc tantam rem publicam suis consiliis aut laboribus aut auxerint aut defenderint aut servarint, esse immortalem gloriam consecutos.

LXIX. Sed me repente, iudices, de fortissimorum 144
et clarissimorum civium dignitate et gloria dicentem et plura etiam dicere parantem horum adspectus in ipso cursu orationis repressit. Video P. Sestium, meae salutis, vestrae auctoritatis, publicae causae defensorem, propugnatorem, actorem reum; video hunc praetextatum eius filium oculis lacrimantibus me intuentem; video T. Milonem, vindicem vestrae libertatis, custodem salutis meae, subsidium adflictae rei publicae, exstinctorem domestici latrocinii, repressorem caedis cotidianae, defensorem templorum atque tectorum, praesidium curiae, sordidatum et reum; video P. Lentulum, cuius ego patrem deum ac parentem statuo fortunae ac nominis mei et fratris liberorumque nostrorum, in hoc misero squalore et sordibus; cui superior annus idem et virilem patris et praetextam populi iudicio togam dederit, hunc hoc anno in hac toga rogationis iniustissimae subitam acerbitatem pro patre fortissimo et clarissimo cive deprecantem. Atque hic tot et talium civium squalor, hic luctus, 145

haec sordes susceptae sunt propter unum me, quia me defenderunt, quia meum casum luctumque doluerunt, quia me lugenti patriae, flagitanti senatui, posconti [illegible]iae, vobis omnibus orantibus reddiderunt. Quod tantum est in me scelus? quid tanto opere deliqui illo die, cum ad vos indicia, litteras, confessiones communis exitii detuli, cum parui vobis? Ac si scelestum est amare patriam, pertuli poenarum satis: eversa domus est, fortunae vexatae, dissipati liberi, raptata coniunx, frater optimus, incredibili pietate, amore inaudito maximo in squalore volutatus est ad pedes inimicissimorum; ego pulsus aris, focis, deis penatibus, distractus a meis carui patria, quam, ut levissime dicam, corpore texeram: pertuli crudelitatem inimicorum, 148 scelus infidelium, frandem invidorum. Si hoc non est satis, quod haec omnia deleta videntur reditu meo, multo mihi, multo, inquam, iudices, praestat in eandem illam recidere fortunam quam tantam importare meis defensoribus et conservatoribus calamitatem. An ego in hac urbe esse possim his pulsis, qui me huius urbis compotem fecerunt. Non ero, non potero esse, iudices; neque hic umquam puer, qui his lacrimis, quas sit pietate, declarat, amisso patre suo propter me, me ipsum incolumem videbit nec, quotienscumque me viderit, ingemescet ac pestem suam ac patris sui se dicet videre. Ego vero hos in omni fortuna, quaecumque erit oblata, complectar: nec me ab iis, quos meo nomine sordidatos videtis, umquam ulla fortuna divellet; neque eae nationes, quibus me senatus commendavit, quibus de me gratias egit, hunc exsulem propter me sine me videbunt.

147 Sed haec di immortales, qui me suis templis advenientem receperunt stipatum ab his viris et P. Lentulo consule, atque ipsa res publica, qua nihil est sanctius, vestrae potestati, iudices, commiserunt. Vos hoc iudicio omnium bonorum mentes confirmare, improborum reprimere potestis, vos his civibus uti optimis, vos me reficere et renovare rem publicam. Qua re vos obtestor atque obsecro, ut, si me salvum esse voluistis, eos conservetis, per quos me recuperavistis.



NOTES

§§ 1, 2. Exordium

The object of the Exordium *is to arouse the interest and awaken the sympathy of the jury: Cicero accordingly points out the momentous issues at stake in the present trial. 'It ought not' he says 'to be a matter of surprise if there be a dearth of men willing to risk their lives for the public good and tranquillity, when they see the melancholy position to which those who have so nobly rescued their country from the party of disorder are reduced by their adversaries' persecution. The worst part of it is that these men are now with a full sense of personal security actually relying on the courts of justice to enable them to commit injustice by effecting the ruin of the true and loyal citizens, against whom their hired ruffians and desperadoes have so far been employed in vain. I am bound by the ties of duty and gratitude to do all in my power to defend the objects of these iniquitous attacks, and especially Sestius, who was one of the most active in promoting my recall from exile.'*

CHAPTER I.

P. 1, § 1, l. 1. quid esset quod] 'what was the reason that considering the great resources of the state (from which meritorious citizens might expect rewards) and the grandeur of our empire' (under which they might expect to attain to glory and honour). **si quis]** so *ὅτις=ὅστις*, cf. § 14 l. 15.

l. 3. forti et magno animo] abl. of quality: Roby Sch. Gr. § 502, Kenn. p. 399. Cf. § 45 *non nemo vir fortis et acris animi magnique.*

l. 4. invenirentur] for the tense see Madv. Gr. § 383, Kenn. p. 483, note to Cic. de off. II § 1 l. 1, and for the mood Roby Gr. §§ 1680, 1686. **qui auderent]** subj. because in a consecutive clause, and in sympathy with *invenirentur*.

se et salutem suam] § 48 *se ac vitam suam*, or. p. Caelio § 57 *cui se, cui salutem suam credidit.* in discrimen offerre] § 61 *obtulit in discrimen vitam suam*, cf. or. p. Balb. § 25 *se in vitae discrimen inferret*, or. p. Arch. § 14 *in dimicationes se obicere.*

l. 5. **statu civitatis**] 'our constitution;' cf. or. p. Sulla § 33 *statum orbis terrae*, § 68 *status reipublicae maxime iudicatis rebus continetur*, or. p. Cael. § 70 *quae lex ad statum patriae, ad salutem omnium pertinet*, p. Mur. § 24 *omnia, quae sunt in imperio et statu civitatis*, or. p. Flacc. § 8 *ut totum reip. statum in hoc uno iudicio positum esse putetis.*

l. 6. **ex hoc tempore**] 'henceforward,' 'now and hereafter,' not 'according to the temper of the times,' as some take it to mean. Halm and Müller read *hoc tempore.* bonum] in political sense, 'loyal,' 'patriotic,' 'well-disposed.' See index s. v. and note on de off. II § 35 l. 7.

l. 8. **sibi consulentem**] 'an egoist,' 'selfish person,' opp. to bonum i.e. *rei p. consulentem*, 'patriotic.' On the participle used adjectively see my note on Cic. de off. II § 11 l. 23, Madvig Gr. § 425 b.

ut omittatis cogitando recordari] not a parenthetic final clause (Kenn. Gr. p. 458), but *a limitative clause* = 'ut non recordemini,' 'without having to call up in imagination.' See n. on § 29 l. 7. On the use of the word cogitatio to express our 'imagination,' 'fancy,' see Nägelsb. lat. Stil. § 8, 1, who quotes or. p. Mil. § 79 *fingite animis—liberae enim sunt nostrae cogitationes et quae volunt, sic intuentur, ut ea cernimus quae videmus: fingite cogitatione imaginem huius conditionis meae*: or. pro Balb. § 47 *existat ergo ille vir parumper cogitatione vestra, quoniam re non potest, ut conspiciatis eum mentibus, quem iam oculis non potestis.* On the ablative gerund, almost an equivalent here to the present participle, cf. or. pro Balb. § 9: *quem provinciae nostrae castiorem...aut sperando unquam aut optando cogitaverunt*, i.e. 'have imagined either in their hopes or dreams' as Mr Reid translates it.

l. 10. **eos, qui—excitarint**] 'men who have combined with the senate and all loyal people in raising our country from her low estate and freeing it from brigandage within her borders,' alluding to the lawless and riotous proceedings of the hired supporters of Clodius (*Clodiani*). Cf. § 144 where Milo is called *exstinctor domestici latrocinii*, and or. in Pis. § 11 where the temple of Castor is spoken of as *castellum forensis latrocinii*, ib. § 25, pro Sull. § 70 *ad civile latrocinium natum.* *Excitare* properly means 'to raise,' 'set on his legs one who has been thrown down,' Gr. ὀρθῶσαι πεσόντα or

κείμενον. Comp. de orat. II § 124 *non dubitavit excitare rem consularem*, ib. § 195 *excitavi maestum ac sordidatum senem.* Hence metaphorically, 'to restore to one's former position,' 'reinstate.' For another meaning of *excitare* see below § 5 l. 9.

l. 12. **sordidatos**] such as P. Lentulus (see on § 144), reos, such as Sestius and Milo; s. Intr. § 24. Ramsay or. p. Cluent. § 18 has a good note on the meaning of *sordidatus.*

l. 13. **de capite**] 'their civil status.' See n. on Cic. de off. II § 50 l. 24. *Caput* is specialised by what follows, viz. *fama, civitas, fortunae, liberi*, for *capitis diminutio* entailed on a man exile, the sacrifice of property, and separation from his family (§ 7), and consequently loss of the *patria potestas.*

l. 14. **dimicantis—volitare**] observe the change of construction from the predicative accusative of the participle to the infinitive in the two periods, which is to be explained partly by the distance of *volitare* from the verb on which it depends, partly because the inf. expresses the activity exhibited by, the participle rather the personal condition of, the party concerned. Cf. Livy XXI 33, 2.

l. 15. **violarint vexarint, perturbarint everterint**] notice how the words go in pairs, an arrangement of which Cicero is particularly fond; see my note on de off. II § 64 l. 4, Reid on de amic. § 17.

l. 16. **volitare** conveys the idea of a mischievous errand, 'to flutter, bustle about;' cf. § 9 *cum illa coniuratio palam armata volitaret*, § 94 l. 28, or. in Pis. § 8 *Sextum Clodium ludos facere et praetextatum volitare passus es*, or. in Cat. II § 5 *quos video volitare in foro*, ib. § 15 *in armis volitare.*

l. 17. **de se nihil timere**] 'to have no fears about themselves,' although, as he says § 94 l. 24, *iis omne supplicium atque omnis iure optimo poena debetur.* Cp. § 94 l. 29 *nec dum vos de vobis aliquid timebitis, illi umquam de se pertimescent.*

§ 2, l. 18. **in quo**] = *in qua re.* **multa**] i.e. *multa alia.*

l. 19. **latrones**] 'hired fighters:' Gr. λάτρις.

l. 20. **scelere**] 'villany,' 'profligacy,' the primary meaning of the word, as in §§ 4, 14, 22, 53, 86, 145. Cp. or. pro Rosc. Am. § 8, § 17. **perditos**] so § 85 *hominum cum egestate tum audacia perditorum*, pro Mur. § 86 *lacrimis ac maerore perditos.* **vos nobis**] observe the pointed collocation of the pronouns.

l. 21. **optimis civibus**] 'most loyal citizens,' § 1 l. 6.

P. 2, l. 1. **vi manu**] cf. §§ 34, 78, 85, 92. [illegible] because especial reference is made to [illegible]

are present in court: cf. *hunc* § 90 and § 144, and *hi graves etc.* § 139, *qui—hi* § 138.

l. 2. auctoritate] 'through the moral weight of your judicial decision.' religione] 'through the obligation of your oath,' which gives a sanctity to your verdict.

l. 3. ego autem, iudices, qua voce utendum putabam est.] Halm in ed. 1 adopted Hotoman's reading *quia* before *qua voce*, which is found in the Bernese MSS, but not in P; but, when Madvig pointed out that Cicero would at least have written *quoniam* and not *quia*, in his later editions he substituted *quoniam*. I am inclined to agree with Madvig that neither *quia* nor *quoniam* is required; the sentence *eis potissimum vox haec serviat* (i.e. *servire debet*) he thinks is genuine, in confirmation of the previous *ea nunc uti cogor*. Bake and Hirschfelder and Halm in his fifth edition omit the clause altogether, Wesenberg would read *depellendis, iis potissimum ut vox haec serviat*. Mr Reid is strongly in favour of *quamquam*, the drift being 'although I speak under regrettable circumstances, still etc.'

l. 5. beneficio] 'favour,' meaning his own restoration.

l. 6. periculis] frequently used of the danger threatened by criminal charges, with reference to the grave penalties incurred in case of conviction. See Reid n. on *p. Arch.* § 13.

§§ 3—5. Propositio

Hortensius has made a very complete defence of Sestius and left little or nothing additional to be said; but I should be ungrateful, if I did not exert my voice on behalf of one who is placed in his present position because of the leading part he took in my recall, and I claim the consideration and indulgence of the court, if in the course of my defence I give expression somewhat freely to my sentiments of just indignation against his persecutors. I shall begin with a general sketch of his character and life, up to the time when he became tribune of the people, that you may be in possession of full data for determining the question of his guilt or innocence.

CHAPTER II

§ 3, l. 9. a Q. Hortensio—perorata est] 'has been last dealt with by Hortensius.' See Introd. § 27. In public trials there was ordinarily only one leading counsel, assisted by *subscriptores*, for the impeachment; for the defence there were several (usually four) counsel-in-chief, all called *patroni*. The arrangement was that each speaker should reply to a single charge (Brut. § 207 sqq.); the last speech was called *peroratio*: cf. Brut. § 127 *erat eius peroratio, qui epilogus*

dicitur: qui tanto in honore pueris nobis erat, ut cum etiam ediscueremus. See Intr. to or. p. Plancio p. xx.

l. 11. pro re publica] 'on behalf of,' 'in the interest of the state,' a stronger expression than *de re p.*: cp. de orat. II § 198 *pro republica queri*. *Pro* and *de* are opposed in § 130.

l. 15. atque ego sic statuo] 'withal, indeed, I go so far as to say.' See Nägelsb. lat. Stil. § 193, 2, c.

l. 16. hoc extremo dicendi loco] Cic. was particularly famous for his power of working on the feelings of the *iudices*; hence where other advocates were employed with him, he usually spoke last, as in the Speeches for Balbus and Sulla. Cf. orat. § 130 *quid ego de miserationibus loquor? quibus eo sum usus pluribus, quod, etiam si plures dicebamus, perorationem* ('the final speech') *mihi tamen omnes relinquebant; in quo ut viderer excellere non ingenio sed dolore adsequebar*, Brut. § 190 *Hortensius cum partiretur tecum causas, perorandi locum, ubi plurimum pollet oratio, semper tibi relinquebat.*

l. 17. pietatis] 'affection,' 'gratitude.' Cf. or. p. r. Deiot. § 30 *sed quamvis ingrata et impie necessitudinis nomen repudiaretis*, or. p. Planc. § 80 *quid est pietas nisi voluntas grata in parentis?*

§ 4, l. 19. acrius, 'more passionately:' liberius, 'more frankly,' 'with a great deal of freedom of speech,' not so strong a word as *asperius*: cf. or. p. Planc. § 83 '*asperius*' *inquit* '*locutus est aliquid aliquando, immo fortasse liberius.*'

l. 22. [putetis is attracted to *concedatis*. J. a. n.] officio coniunctior, 'more conformable to duty,' or. p. Planc. § 25 *rogatio officio coniuncta maxime*, de off. I § 6 *praecepta coniuncta naturae*, i.e. 'rational.' The abl. with *cum* is sometimes used for the dative, but rarely without *cum*, see § 8 l. 15.

§ 5, l. 28. de omni statu] i.e. de omni Sestii conditione et vivendi agendique ratione, 'on his political position and circumstances.' moribus] 'character.'

l. 30. de studio conservandae sal.] 'about his zealous conservatism.' Cf. § 15 l. 29 *hominis...otii et communis salutis inimici*, for the opposite character.

l. 32. confusa defensione] 'indiscriminate,' 'comprehensive and general vindication' which takes in all, without entering into a particular discussion of specific charges. For this meaning of *confundere* see note on de off. I § 95 l. 34, II § 10 l. 8, and cf. Tusc. I § 23 *cuperem equidem utrumque, si posset; sed est difficile confundere*, i.e. utrumque coniungere, 'to combine the two,' de or. II § 177 *ut re distinguantur, verbis*

of the ties of *affinitas*, as is evident from or. p. Cluent. § 33 *apud Dinaeam, quae tum* (during her husband's life) *ei multeri socrus erat*, ibid. § 190 *divortia atque affinitatum discidia*, de orat. I § 24 *venisse eodem, socer eius qui fuerat, Q. Mucius dicebatur.* C. F. Hermann quotes Julius Pollux Onom. III 6 *τὸ μὲν γένος ἡμῖν ὁμοῦ τῷ γαμβρῷ σύνεστι καὶ οὐκ ἔστιν ὅτε παύεται, ἡ δὲ συγγένεια* (affinitas) *καιρῷ τε ἄρχεται καὶ νόμῳ παύεται· νόμῳ γὰρ ὥσπερ συνίσταται γάμοι, οὕτω καὶ λύεται· λυθέντος γὰρ ἅπαξ τοῦ γάμου καὶ τὰ ὀνόματα τὰ διὰ τὸν γάμον συναπέρχεται.*

l. 21. **hodie]** i.e. vel hodie 'even now,' 'even at the present day,' § 50, § 95, § 142. **sic hunc diligit, ut...potestis iudicare]** we should say 'you may judge how fond he is of him;' cf. or. p. Planc. § 28 *Macedonia sic eum diligit, ut iudicant hi principes civitatem suarum*, where see my n.

l. 22. **adsiduitate]**=assidua praesentia in iudicio, 'attendance in court,' or. p. Planc. § 27 l. 31 *qualem hunc putent, assiduitate testimonioque declarant.* The friends of a defendant (*advocati*) sat in court (*aderant*) during a trial to give the weight of their influence, or. p. Planc. § 28 l. 3. **molestia]** 'vexation,' 'annoyance,' 'dejection.'

§ 7, l. 23. **optimi et calamitosissimi]** 'so excellent and yet so unfortunate withal, or. p. Planc. § 102 *miserrimus et optimus.* [calamitas refers especially (as *συμφορὰ* in Gr. orr. often =*ἀτιμία*) to civil disability resulting from conviction in a court of justice: cf. my note on or. p. Sull. § 15 l. 17 J. S. R.]

l. 24. **L. Scipionis]** a Marian, who when consul with his colleague C. Norbanus in B.C. 83 was defeated at the battle of Tifata by Sulla and deserted by his own soldiers. He died an exile at Marseilles. Mommsen *Hist. of Rome* III p. 350 ed. ma., Plutarch Sull. c. 28, Appian b.c. I 80—86.

in hoc] 'in regard to him' (Scipio), 'in his case' or 'person;' **clara exstitit]** 'showed itself in the most beautiful light;' **omnibus grata**, 'which met with universal recognition.'

l. 26. **Massiliam]** it was to Marseilles that Milo went after the murder of Clodius. [As the towns having *ius exilii* with Rome were absorbed, Roman exiles had to go further and further afield. At first Tibur was the common resort, then Naples, at last Marseilles. J. S. R.]

l. 27. **luctibus rei p.]** during the Marian civil war, § 99.

l. 28. **in alienis terris iacentem—stare]** *alienas terras* is opposed to *maiorum vestigia* i.e. sedes maiorum, and *iacentem* means 'stranded' with reference to the metaphor of a shipwreck. Cp. § 42, § 64, and my n. to or. p. Planc. § 71 l. 25, § 81 l. 17, Nägelsb. lat. Stil. § 127, 1. Fabri on Liv. XXI 41 compares Pindar Nem. 6, 15 *ἴχνεσιν ἐν Πραξιδάμαντος ἴδὼν πόδα νίκαν.*

l. 30. **si non omnem, at aliquam partem]** 'if not all, at least some portion (measure).' Cp. § 57 *si nondum socius, at non hostis*, §§ 14, 37 *si non—at certe*, § 92 *si minus—at certe*, § 57 *si non—at tamen.* See Munro on Catullus p. 126.

l. 32. **officiis]** 'services.' *Officium* (*opificium*) is properly an act done from motives of friendship or relationship.

P. 4, l. 1. **filiae solitudinem]** i.e. separation from her father.

l. 2. **possum—dicere—sed]** 'I might say, only,' cf. or. in Verr. I § 125 *possum sexcenta decreta perferre—verum*, or. p. Caelio § 53 *possum dicere...possum etiam illa...perquirere, possum omnis latebras suspicionum peragrare dicendo...sed haec*, Virg. Georg. I 176 and below § 12 l. 9 n. Cf. Demosth. *πάλλ' ἐν ἐχεῖν εἰπεῖν.* **domesticis]** 'in private life')(*publicis.*

l. 3. **de tribunatu militari]** Ascon. schol. on Cic. Verr. I c. 10: *tribunorum militarium duo genera: primum eorum, qui rufuli dicuntur: hi in exercitu creari solent: alii comitiati, qui Romae comitiis designantur.* The military tribunes of the *legiones quattuor primae*, which were designated for regular active service, were chosen at the *comitia tributa.* See *Dict. of Antiq.* pp. 502, 503.

de provinciali abstinentia] cf. *integritas provincialis* § 13, Cic. ep. ad fam. V 19, 1 *provinciale officium:* see J. S. R.'s note p. 277. **in eo magistratu]** the word *magistratus* shews that the office was one to which the people elected: cf. Sall. Iugurth. 63, 4 *tribunatum militarem a populo petit* (Marius) *...deinde ab eo magistratu etc.*

l. 5. **ad sese rapit]** § 13 l. 28 *ad tribunatum qui ipse ad sese iam dudum vocat...veniamus.* **minora**, 'less important.'

l. 6. **relinquere hortatur]** a very rare construction for *ut relinquam.* Zumpt Gr. § 616. [Draeger Hist. Synt. gives one ex. from Cic. de inventione, I have not noted any other in Cic. J. S. R.]

§ 8, l. 7. **collegae mei]** Gaius Antonius Hybrida was consul with Cicero B.C. 63. **sorte]** the Quaestors had to draw lots for their *provincia quaestoria* in the Temple of Saturn on the nones of December.

l. 8. **impedior non nullius officii religione]** By *religio officii* is meant 'respect for the special obligation imposed upon

him of allegiance to his colleague'. The expression occurs also or. p. Sull. § 10, Verr. III § 2, V § 35. The use of *non nullus* in the singular is not uncommon; cf. or. Phil. I § 11 *non nullo eius officio*, II § 20 *tua culpa non nulla*, de am. § 30 *opinione non nulla*, or. p. Mur. § 37 *rumore non nullo*, or. p. Mil. § 11 *non nulla apud bonos gratia*. ut ego interpretor] 'according to my view of the matter,' § 12 l. 5.

l. 10. cum esset cum collega meo] 'when attached to, in attendance on, my colleague.' On the apparently harsh repetition of *cum* see Reid or. p. Sull. § 16 l. 24.

senserit] because of the connexion of Antonius with the party of Catiline; *quam multa* is to be taken with the third member also of the sentence *quanto ante* (=multo or tanto ante) *providerit*. Koch would read *aliquanto ante*, comparing de off. I § 81 *futura aliquanto ante constituere*.

l. 11. atque] 'and so,' 'accordingly,' Hand Turs. p. 175, Nägelsb. § 193, 2, b, Draeger H. S. § 315 3c, Lewis-Short Dict. p. 190c 3, III 1.

l. 13. illo timore ac periculo] a temporal ablative, see note on de off. III § 114 l. 22 *periculo mortis diffugissent*, and ep. below § 54 *hac tanta perturbatione civitatis*.

l. 15. ipso] see Madvig n. on Cic. de fin. II § 93, p. 207 ed. 2. infitiando] Manutius compares a verse from Accius quoted by Cic. or. in Pis. § 82 *numquam istam imminuam curam infitiando tibi*; cf. also or. p. rod. in sen. § 33 *numquam infitiando suspicionem minuerunt*. tollere—sedare] or. Phil. II § 46 *quanta mala sedavi vel potius sustuli*. dissimulando] by pretending to know nothing about the plans of the conspirators.

l. 16. sustinendo atque moderando] 'checking and controlling.' Cp. de am. c. 17 *est prudentis sustinere ut cursum sic impetum benevolentiae*, ep. ad Att. XIII 21, 3 *sustineas equos*.

l. 17. coniunctam cum] 'never disconnected from,' § 4 l. 22. Cf. or. in Pis. c. 2: *ego Antonium collegam, cupidum provinciae, multa in rep. molientem, patientia atque obsequio meo mitigavi*. Cicero had given up to him the province of Macedonia which had fallen to his own lot.

l. 18. vere] 'rightly,' or. p. Planc. § 48.

l. 20. observavit] in a double sense 'paid respect to,' and 'kept his eye upon;' cf. ep. ad fam. VII 27, 1 *ego te in consulatu observaram*, ep. ad Quint. fr. III 9, 5 *me ab eo ita observatum scio, ut eius ista odia non sorbeam solum sed etiam concoquam*. On ita—ut limitative, see Kenn. Gr. p. 453.

bonus] since the Consul should stand to his Quaestor in the relation of parent (*parentis loco*), div. in Caecil. § 61.

l. 21. optimus] 'most patriotic,' note on § 1 l. C, § 2 l. 21. Sestius reconciled his duty to his consul with his duty to the State.

CHAPTER IV

§ 9, l. 22. idem] 'also,' Kenn. Gr. p. 284.

l. 23. vellitaret] cf. § 1 l. 16. The reference is to the events of Nov. 7 B.C. 63, when Cic. delivered his first speech against Catiline, who thereupon rushed out of the senate to join Manlius in Etruria. The senate had decreed, upon the news of his arrival in the camp of Manlius, *Antonius cum exercitu Catilinam persequi maturet, Cicero urbi praesidio sit*.

l. 25. opportunitates] Cic. de leg. agr. II § 90: *quibus omnibus bellis Capua...opportunissimam se nobis praebuit et ad bellum instruendum et ad exercitus ornandos et tectis ac sedibus suis recipiendos*.

l. 26. temptari] in military sense.

l. 28. non obscure] cf. or. in Pis. § 5 *interitum urbis non obscure sed palam molientem*. Pisauri] 'at Pisaurum,' a town on the Adriatic, on the great Flaminian road between Fanum Fortunae and Ariminum. It was founded as a Roman colony in B.C. 184, at the same time as Potentia in Picenum, Liv. XXXIX c. 44. ager Gallicus was the strip of sea-coast north of Picenum, formerly occupied by the Galli Senones, but at this time reckoned a part of Umbria.

l. 29. in illa coni. versatum] 'implicated in that conspiracy.' C. Marcellum] probably the same Gaius Marcellus as the one spoken of by Orosius VI 6: *motus etiam in Paelignis ortus a Marcellis patre et filio, per L. Vettium proditus, putefacta Catilinae coniuratione quasi succisa radice compressus est, et de utroque per Bibulum in Paelignis, per Ciceronem in Bruttiis vindicatum est*. idemque, 'and so also he.'

l. 31. in familiam coniecisset] 'had placed himself in, become a member of, a band of gladiators.' Capua was the head-quarters of the gladiators' schools. Sallust Cat. 30: *itemque decrevere* (senatores) *ut gladiatoriae familiae Capuam et in cetera municipia distribuerentur pro cuiusque opibus*. The word familia, in its primary meaning, properly embraced the entire body of free persons, clients and slaves, under the patriarchal rule of the *paterfamilias*. In time the meaning was divided, applying (1) either to a group of kins-

folk having a common name—as Metellus, Scipio, Cicero, Caesar; (2) to a body or gang of slaves, as here.

quasi armorum studio] i.e. 'on the pretence that he wished to learn the use of arms (ὑπλομαχία)' [or 'as though from a taste for armed spectacles.' J. S. B.] So of Cethegus (or. in Cat. 3, 10), *se semper bonorum ferramentorum studiosum fuisse.*

P. 5, l. 1. conventus] Capua, which in the year B. C. 338 had obtained the Roman *civitas sine suffragio*, was punished for its defection in the second Punic war by its dissolution as a political community, and its population deprived of all the rights belonging to it as such; and all jurisdiction was placed in the hands of a praefectus sent annually from Rome. Liv. XXVI 16 *ceterum habitari tantum tamquam urbem Capuam frequentariique placuit; corpus nullum civitatis nec senatus nec plebis concilium nec magistratus esse; sine concilio publico, sine imperio multitudinem, nullius rei inter se sociam, ad consensum inhabilem fore*, Cic. de leg. agr. II § 89 *maiores Capuam receptaculum aratorum, nundinas rusticorum, cellam atque horreum Campani agri esse voluerunt.* Now as such a place was called *conciliabulum*, so its united inhabitants were called *conventus* not *populus* or *civitas*. This state of things continued until B.C. 59, when, upon the motion of the consul Caesar, a colony was led to Capua; therefore at the time of the delivery of this speech (*hoc tempore*) the Capuans were *coloni* with a senate (*decuriones*) and two chief magistrates (*duumviri* sc. iuri dicundo § 19). Vell. Paterc. II 44 *in hoc consulatu Caesar legem tulit, ut ager Campanus plebei divideretur, suasore legis Pompeio. Ita circiter* XX *milia civium eo deducta et ius civitatis restitutum post annos circiter* CLII, *quam bello Punico ab Romanis Capua in formam praefecturae redacta erat*; cp. Caesar B. Civ. I 14, 4 *dilectumque colonorum qui lege Iulia Capuam deducti erant habere instituunt; gladiatores, quos ibi Caesar in ludo habebat, circum familias conventus Campaniae custodiae causa distribuit*, where, it will be observed, *conventus* is used in a different sense, viz. that of 'a district.'

l. 2. me unum patronum adoptavit] See Prof. Mayor's note to or. Phil. II § 107 l. 19. Strictly they had no right to choose a *patronus* at all, being a *multitudo ad consensum inhabilis*, but in practice the rule had long since been neglected. We learn from Cicero's speech against Piso § 25 that they voted him also a gilded statue: *quorum Capuae te praetextatum nemo adspexit, qui non gemeret desiderio mei: cuius consilio cum universam remp., tum illam ipsam urbem meminerant esse servatam. Me inaurata statua donarant; me patronum unum asciverant* etc. He lays stress upon *unum* because as a rule states had more than one *patronus*. [Cic. perhaps was thinking of the *tres patroni* usual in colonies, where the *tres viri coloniae deducendae* usually became the first *patroni*. J. S. B.]

l. 3. P. Sestio] possibly a gloss upon *huic*.

l. 7. deprecantur] = Gr. παραιτοῦνται: see my n. on or. p. Planc. § 102.

§ 10, l. 8. L. Sesti] the son mentioned § 6 l. 16.

l. 9. inimicis vestris] 'the enemies of your family,' as Verr. IV § 81 *de vestris monumentis* i.e. vestrae familiae.

aliquid significare] 'give some small preliminary intimation.' *aliquid*, adverbial accusative 'in some degree,' 'to some extent')(*nihil*. Hand Tursell. I p. 258.

l. 10. quidnam...effectura esse videatur] 'what in the future it is likely to accomplish.'

l. 11. non recito decretum—vicinitatis] 'the resolution which I read is not one forced from them by some obligation of neighbourliness,' the genitive of relation; see n. on or. p. Planc. § 72 l. 4, and cf. div. in Caec. § 14, or. p. Mur. § 78 *officium necessitudinis*, 'the obligation arising from my close connexion with them.' On the meaning of *officium* see above § 32, and for *vicinitas* cf. or. p. Planc. § 22 *laudanda est vel etiam amanda vicinitas*. As Sestius was *vicinus* or *patronus* or *hospes conventus Campanorum*, there was almost a moral compulsion that he should not be refused a *laudatio*. [These *laudationes* were notoriously merely formal and hardly ever refused. As to their value cf. or. p. Flacc. § 36. J. S. B.] The primary negative clause falls into two groups; the first tripartite period assigns the (possible but not real) motive, which might spring from a duty of the Campanians to Sestius; the second, such a one as would detract from the importance of the decree.

l. 13. ambitionis] from secondary considerations, personal interest; commendationis gratia, for the purpose of commending Sestius to the judges, which often enough happened, and in this case was only a subordinate aim. *Aut* before *ambitionis* belongs to *non recito* 'nor such an one as, etc.': with *ambitionis—gratia* we must understand the general notion *factum* by the figure zeugma from *expressum*.

l. 14. memoriam perfuncti periculi] 'a record of danger surmounted,' Zumpt Gr. § 632.

l. 15. vocem officii praesentis] 'the expression of present gratitude,' in opp. to *testimonium praeteriti temporis*, cf. § 31 *causam praeteriti temporis—praesenti defensione*.

§ 11, l. 16. **atque**]=*καὶ πρός*, 'and furthermore.' Hand Turs. I p. 484, Nägelsb. lat. Stil. § 193 2, c, see above § 3 l. 15.

l. 19. **ex periculis extraxissent**] Ter. Hec. v 4, 35 *me ex quanta aerumna extraxeris;* a stronger word than *eripere*, usually employed in this sense; there is no other ex. in Cic. of *extrahere*. **domesticis**, 'internal,')(*externis*, cf. Cic. de off. II § 23.

l. 22. **quibus hic litteris lectis**] Ellendt in an exhaustive note to Cic. de or. I 38 p. 93 ff. shows that this repetition of the antecedent noun in the relative clause is borrowed from the laws and juridical formulae, where accuracy was necessary, as in our English Acts of Parliament. He adds that most of the words with which it is found so repeated are terms of likely occurrence in law documents, such as *causa, edictum, dies, foedus, fundus, lex, iudicium, locus, maleficium, mensis*. It is especially frequent in Caesar. The position of *hic* is perhaps due to the fondness of the Latin language for placing pronouns in juxtaposition. See Nägelsb. lat. Stil. § 97 b, and cf. below § 12 l. 5. **incredibili celeritate**] Kenn. Gr. p. 399.

l. 23. **advolavit**] § 54 l. 9. **temporis atrocitatem**] 'reign of terror.'

l. 24. **recordari**] n. on or. p. Planc. § 69 l. 22.

l. 25. **praeteriti temporis**=de praeterito tempore. Cf. or. p. Arch. § 14 *cogitatione hominum excellentium*.

CHAPTER V

l. 27. **tribunorum plebis novorum**] especially Q. Metellus Nepos and L. Calpurnius Bestia.

l. 28. **extremis diebus**] the tribunes of the people entered on their office on the 10th of December, [and the three weeks which elapsed till the new consuls entered on office were generally the stormiest of the year for Roman politicians. J. S. R.]

l. 29. **vexare**]=incusare, 'to attack;' cf. below § 60. **coniurationis**] abstract for concrete; cf. or. in Cat. I § 13.

l. 30. **impetus et conatus**] cf. § 139 l. 7.

§ 12, l. 31. **Catone**] the celebrated Cato of Utica, who on hearing that Q. Metellus was a candidate for the tribuneship, hastened to Rome in order that he might become a candidate also himself and so oppose his measures. See n. to § 62.

l. 32. **civi**] the usual form of the ablative in Cicero, though *cive* also is found, as in § 144 l. 31: so *angui, avi, bili, imbri, orbi;* see n. to or. p. Planc. § 51 l. 32.

P. 6, l. 1. **per se ipsum**] it is better to take *ipsum* with the subject *senatum*. See Kenn. Gr. p. 288 and cf. § 13 l. 29.

l. 3. **periculo suo**] 'at risk to themselves,' abl. of attendant circumstances, Roby Gr. II 1242, Madv. Gr. § 277, Zumpt Gr. § 646.

l. 5. **hic ego quid praedicem**] cf. § 8 *ut ego interpretor*, § 16 *ut ego arbitror*, § 17 *hocine ut ego nomine appellem*.

hic]=hoc loco, 'at this point.'

l. 6. **consulem quaestor**] observe the juxtaposition of contrasted words. **ad rem gerendam**] 'to give battle.'

l. 8. **nimium...metuenti**] latenter significat Antonium non alienum a coniuratis fuisse, qui a pugna prorsus abhorreret. MAN.

communem Martem belli casumque] 'the fortune and chances of war.' *Mars* was called *communis* 'neutral,' because he favoured sometimes one, sometimes the other side. Hence the epithet ἀλλοτρόσαλλος which Homer applies to Ἄρης, and ξυνὸς to Ἐνυάλιος, Il. 18, 309. Cf. or. p. Mil. § 56 *adde casus, adde incertos exitus pugnarum Martemque communem*, or. Phil. x § 20, Liv. XLII 14, Verr. v § 132, ep. ad fam. VI 4, 1 *cum omnis belli Mars communis et cum semper incerti exitus proeliorum sint*. In the de orat. III § 167 speaking of the figure metonymy he says: *gravis est modus* (traductionis atque immutationis) *in ornatu orationis et saepe sumendus, ex quo genere haec sunt, Martem belli esse communem, Cererem pro frugibus, Liberum appellare pro vino*. Observe that *belli* is to be taken also with *casum;* cf. Liv. VIII 31, 5 *quod belli casus ferunt Marsque communis*.

l. 9. **longum est**] 'it would be a long business;' Roby sch. Gr. § 643, Kenn. Gr. p. 336, Madv. Gr. § 348 obs. 1, Zumpt Gr. § 520. Cf. § 17 note on the use of *possum*.

hoc breve dicam] 'make *only* this brief remark,' Parad. VI 35 *illud et breve et confitendum est*, or. p. Cluent. § 161 *quam brevia responsa*, cf. Verg. Aen. I 341 *longa est iniuria*.

l. 10. **M. Petrei**] Hic eodem bello Antonii legatus fuit, quem praemiserat cum exercitu ad edendam dimicationem; cum ipse consul retardari pedum valetudine videretur, re autem vera hostibus congredi nollet. SCHOL.

animus et amor rei p.] cf. or. in Verr. II 9 117 *si me animus atque amor in rem p....non hoc facere coegisset*, or. p. Flacco § 103 *qui tum animus L. Flacci! qui amor in patriam!*

l. 11. **in re publica**] sc. gerenda, 'in official activity,' of military as well as civil achievements in the public service.

l. 12. **auctoritas**] 'personal weight,' 'influence.' **mirificus usus**] 'extraordinary experience,' [Petreius was one of the old soldier class of the type of Labienus. *J. S. R.*] Sallust, Cat. c. 59 6 *quod amplius annos triginta tribunus aut praefectus aut legatus aut praetor cum magna gloria in exercitu fuerat.*

l. 14. **accusandum**] 'taking to task,' 'reproving' § 122 l. 31.

l. 15. **datus esset hiemi locus**] i.e. bellum hiemi cessisset, hiemis interventu interruptum esset, 'winter would have had free course, and the pursuit of Catiline would have been interrupted, because he could not under these circumstances have been dislodged *e pruina Appennini atque e nivibus illis*, while in the south he was pressed hard by the army of Antonius, and in the north his passage to Gaul was opposed by Q. Metellus Celer, who (Sall. Cat. c. 57) *sub ipsis radicibus montium consedit, qua illi descensus erat in Galliam properanti.* But had Catiline been fortunate in obtaining the exact time of the year for military operations (*aestas*) and in becoming master of the passes of the Apennines leading to Italy and of the shepherds' huts, his destruction in any case would have been at the expense of much bloodshed. The battle of Pistoria, in which Catiline fell fighting against Petreius, according to the calculation of Ideler (Handb. der Chronologie II p. 111) is to be placed in the month of February B.C. 62.

l. 16. **e pruina Appennini**] or. in Cat. II § 23 *quo autem pacto illi Appenninum atque illas pruinas ac nives perferent?*

l. 17. **nivibus illis**] 'those terrible snow-fields.' **aestatem integram**] 'the entire summer:' or. de prov. cons. § 17 *annus integer.* Karsten conj. *integer* i.e. nondum bello lacessitus.

l. 18. **Italiae callis**] regiones silvestris et montosas a Campaniae tergo mare superum versus sitas. Cf. Liv. XXII 14, 8 *nec hic pecorum modo per aestivos saltus deviasque calles exercitum ducimus conditi nubibus silvisque.*

pastorum stabula] Liv. I 4, 9 *nec in stabulis nec ad pecora segnes* i.e. 'neither at home nor in the chase.' From these half-wild shepherds Catiline might have got a considerable contingent for his band of followers. Cf. or. in Cat. III § 14: *idem decretum est in M. Ceparium, cui ad sollicitandos pastores Apuliam esse attributam erat indicatum.* [It is important to note that these are the *ergastula*; cf. or. p. Mur. § 84, Flor. 2, 9, 11 and Brut. ep. ad Cic. XI 18, 2, quoted by Wirz in *Neue J.* for 1875. *J. S. R.*]

l. 20. **vastitate**] 'desolation.' **concidisset**] 'would have collapsed,' 'fallen powerless.' See Mayor on Phil. II § 107.

§ 13, l. 20. **igitur**] resumptive, § 32 l. 14, n. to or. p. Plane. § 36 l. 12.

l. 21. **ut—relinquam**] 'to pass over,' a parenthetic final clause, Kenn. Gr. p. 458, de off. III § 94 l. 8.

l. 22. **Macedoniae**] whither he followed his former consul Antonius Hybrida. **aliquando**] 'at length and high time too,' or. p. Plane. § 33 l. 4, § 36 l. 12. **proplora**] 'more recent.'

l. 24. **integritas provincialis**] § 7 *provincialem...abstinentiam.* **nuper**] when Cicero was staying as an exile at Thessalonica in the summer of B.C. 58.

l. 25. **pressa**] the more usual expression is *imprimere vestigia*, as in orat. § 12, or. p. Caec. § 76, or. Phil. XIII § 30: but in Verr. IV § 53 we find *aliquo leviter presso vestigio.*

l. 27. **ita—ut tamen** etc.] in a limitative or restrictive sense, see above § 8 l. 20. Transl.: 'not without many a backward glance.'

l. 29. **ipse ad sese**] see above § 12 l. 1.

l. 30. **absorbet orationem**] sweeps it away as in a whirlpool, i.e. admits no dallying with other questions. Cp. de legg. II § 9: *vim istius caelestis legis explana, si placet, ne aestus nos consuetudinis absorbeat et ad sermonis morem usitati trahat*, Brut. § 282 *sed hunc quoque absorbuit aestus quidam insolitae adulescentibus gloriae.*

contento] i. q. intento)(remisso, 'eager,' 'intent,' cf. or. p. Mur. § 33, Tusc. II § 54 *ut onera contentis corporibus facilius feruntur, remissis opprimunt*, ib. § 57 *tormenta contenta atque adducta vehementius*, ib. *plaga missa contentius.*

CHAPTER VI

P. 7, § 14, l. 3. **auctoritatem disciplinamque rei p. capessendae**] 'a model system of politics,' 'a pattern and lesson, how men should work in public life.' Cic. is fond of such boasts about the useful end which speeches serve: see below § 96, § 119, or. Phil. II § 20, ep. ad Att. II 1, 3, Tusc. I § 5.

l. 4. **tribunatus totus P. Sesti**] we should say 'P. Sestius throughout his tribunate.'

l. 5. **nihil aliud nisi—sustinuit**] 'did nothing else but support.' On the elliptic phrase *nihil aliud nisi* see my n. on or. p. Plane. § 64 l. 21. **nomen**] 'name,' i.e. reputation, honour as a citizen (§ 144), not materially different from **causa**.

l. 6. **de rebus—deplorandum**] Cf. or. p. Flacc. 23 *querendum est et deplorandum de omni accusationis iniquitate*, Verr. III 45 *de istius improbitate deplorare.*

l. 8. **dolentius**] 'with somewhat of indignation.' // **si vellem**] 'if I were inclined,' which I am not. Madv. Gr. § 350 b, obs. 1.

l. 10. **sceleris furore**] for *furioso scelere* to balance *vocis libertate* = libera voce.

l. 11. **perstringerem**] 'reprimand,' 'censure,' lit. 'graze,' 'wound slightly:' cp. or. p. Planc. § 33, or. p. Sull. § 46 *nemo umquam me tenuissima suspicione perstrinxit, quem non perculerim.* [Note the subtle contrast between *violatus* and *perstringerem.* J. S. R.] **libertas** = *παρρησία*, 'freedom of speech,' a meaning it often bears in Cic. and Tacitus.

l. 12 **huius potius tempori serviam quam dolori meo**] 'I will minister to my client's exigence rather than gratify my own resentment, [I will rather do what I can for his interests, than satisfy my own desire for vengeance' (*Long*).] For the first meaning of *servire* cp. de orat. 1 § 250 *voci servire*, i.e. as Ellendt explains it *facere quae voci prosint* s. *curare ut iuvetur*, cp. ad fam. XIV 2 *valetudini servire*, Brut. § 242 *multorum vel honori vel periculo servire;* for the second, or. de prov. cons. § 2 *non parebo dolori meo, non iracundiae serviam.* For the meaning of *tempus* see n. on § 123.

l. 14. **aliquid aliquando**] *aliquis* is frequently used with such kindred words for the sake of emphasis or rhetorical effect: cf. or. p. Planc. § 35 *ego quia dico aliquid aliquando*, de orat. 1 § 99 *non despero fore aliquem aliquando*, orat. § 144 *docendo aliquid aliquando.* See Hand Turs. 1 p. 251. **atque eidem nunc**] 'whereas they now on the other hand.' On this use of *idem* to point a contrast between two statements or actions see n. on de off. II § 144 l. 13 and cf. § 90 l. 31.

l. 15. **si qui**] The *si* is without its conditional force: so in Gr. *εἴτις* often = *ὅστις.* **se offerunt**] in opp. to *incidunt*, said of a spontaneous, sought-for encounter, more closely defined by the following verb *insectantur*, which, however, some editors consider a gloss.

l. 18. **invasisse**] intentionally. **incucurrisse**] involuntarily, accidentally; Nägelsb. lat. Stil. § 129.

§§ 15—35. *The Second part of the* Confirmatio, *containing an account of the acts of Sestius in his tribunate, prefaced by a summary of the political events of the memorable year* B.C. *58, beginning with the act, which was the source of all ensuing mischief, viz. the adoption in the preceding year of P. Clodius, the enemy of Cicero but still more of his country, into a plebeian house, in order that he might qualify for the*

tribunate. He had pledged his word solemnly to Pompeius that, when tribune, he would not take any measures against Cicero: but not content with breaking his promises, he must needs threaten Pompeius himself (§ 15). *The fatal consequences to the state of the election of P. Clodius to the tribunate and his success in securing the countenance and assistance of the two consuls, Aulus Gabinius and L. Calpurnius Piso, in his revolutionary projects* (§ 17); *Cic. paints the character of these two men in the blackest colours, representing them as a disgrace to their office, and as ready to sacrifice the empire itself to their lusts and pleasures; the former he describes as a professed rake, so desperate in his fortunes that he had no other resources or hopes of subsistence but from the plunder of the republic; of the latter he says, that while affecting the mien and garb of a philosopher, he got the credit of being a patriot and reviver of the ancient discipline, while he was in reality a mere sot and voluptuary* (§ 18—§ 24).

Clodius secured these two sellers of their country by offering to procure for them by a special grant of the people select and lucrative provincial governments, instead of letting them take their chance by lot as usual (§§ 24, 25), *consequently the general protest against the bill of Clodius affecting Cicero himself, and the appeal of the better sort to the consuls to interfere on his behalf, was treated by them with the utmost derision: whereupon the people showed their sympathy with Cicero by putting on mourning as a mark of respect. The senate itself when assembled in the temple of Concordia condescended with suppliant entreaties to implore the intervention of Gabinius, the only consul present, only to meet with a rude and insulting reception from him; and that august body passed a resolution for changing their dress with the rest of the citizens in token of mourning* (§§ 25—27). *Gabinius' angry address to the people and denunciation of the senate and equites, and his irregular and arbitrary exercise of power in banishing one of them, L. Aelius Lamia, for his distinguished zeal and activity in Cicero's service* (§§ 29—31). *(Apology to the jury for this lengthy narrative, which Cicero shows not to be irrelevant to the case of Sestius* (§ 31)): *the illegal assumption of power by the consuls in forbidding the senate to comply with their own resolution and enjoining them to resume their ordinary dress, and their scandalous conduct in sacrificing the state by aiding and abetting Clodius in all his designs and voting for his lawless measures* (§§ 32—35).

§ 15, l. 20. **superioris anni**] the year which preceded the tribunate of Sestius, consequently B.C. 58, when Piso and Gabinius were consuls: see Introd. § 28. On the double genitive dependent upon the same word see n. to or. p. Planc. § 66 l. 17 and cf. § 81 l. 12.

l. 21. **naufragium**] used first in its usual sense, then with *conligere* in its collective sense, 'the fragments, shattered remains of the wrecked ship of the state,' just as in the Greek word ναυάγιον both meanings are united, so that in quo conligende = in cuius fragmentis conligendis.

reficienda] 'restoring,' cf. Tac. Ann. VI 17 *sic refecta fides.*

l. 22. **facta, dicta, consilia**] 'actions, words and thoughts,' a climax ascending from the outer to the inner.

CHAPTER VII

l. 24. **fuerat ille annus iam in re p. cum —**] viz. the year B.C. 59 in which Clodius' adoption into a plebeian family took place, which was the beginning of Cicero's troubles. See ep. ad Att. IX 5, 2. **fuerat** = praecesserat. See cr. n.

l. 27. **quidem**] adversative, as § 16, § 24, see n. on de Planc. § 75 l. 14, and cf. de or. 1 § 144 *haec accendi arte possunt, inseri quidem ab arte non possunt.* The phrase *re quidem* is as common as *re quidem vera.* So *re autem* (*re tamen*) or. p. Caec. § 59, Vell. Paterc. II 6, 4) alternates with *re autem vera.*

l. 28. **furibundi hominis**] P. Clodius, adopted by the plebeian P. Fonteius, s. Intr. § 7. **mihi irati**] s. Intr. § 6.

l. 29. **otii**] 'peace')(*belli:* de off. I § 77 l. 26. **communis salutis inimici**] on the use of the adjective as a substantive see my n. on Cic. de off. III § 90 l. 31, § 117 l. 4, Madvig Gr. § 247 b *obs.* 1, Zumpt Gr. § 410. *Cf.* § 124 l. 6.

l. 31. **Cn. Pompeius**] ep. ad Att. II 20, 2 *Clodius adhuc ibi denuntiat periculum, Pompeius adfirmat non esse periculum, adiurat; addit etiam se prius occisum iri ab eo quam me violatum iri:* ibid. II 22, 2 *cum hoc* (Clodio) *Pompeius vehementer egit, cum diceret in summa se perfidiae et sceleris infamia fore, si mihi periculum crearetur ab eo, quam ipse arcuisset, cum plebeium fieri passus esset; fidem recepisse sibi et Vatinium et Appium de me; hanc si ille non servaret, ita laturum omnes intellegerent nihil sibi antiquius nostra amicitia fuisse.*

omni cautione] 'every kind of security,' both in promise and in writing. **foedere**] 'compact,' 'covenant.'

l. 32. **exsecratione**] 'a solemn oath with an imprecation, spoken,' or. in Verr. V § 104, Sallust Cat. 22, 2 *cum post exsecrationem omnes degustavisset.* **devinxerat**] 'had engaged, laid under obligation,' to give his word '*nihil in tribunatu etc.*'; on the omission of the subject before *facturum*, because of the preceding accusative *hunc* cf. or. in Mil. § 52 *hunc prae se tulisse illo die Roma exiturum.* See Zumpt Gr. § 605, Madvig Gr. § 401, Mayor on Philipp. II § 49 l. 2, Reid on or. p. Sull. § 39 l. 4, Acad. I § 18 ed. 2.

P. 8, l. 1. **quod**] to be taken with *foedus.*

nefarius] used substantively like *sceleratus* and other adjectives; see above l. 29. **ex omnium scelerum conluvione natus**] 'a monster compounded of all sorts of abomination and crime.' Manutius compares or. in Pis. c. 9 *animal ex nefariis stupris, ex civili cruore, ex omnium scelerum importunitate et flagitiorum impuritate conceptum.*

l. 2. **parum—nisi**] 'he is not satisfied — unless,' 'not enough—but he must also.' Cf. below § 32, or. p. Rosc. Am. § 49 *ut parum miseriae sit quod alius coluit, non sibi, nisi etiam quod omnino coluit, crimini fuerit,* Liv. XXXVIII 54, 9 *parum fuisse non laudari pro rostris P. Africanum, post mortem, nisi etiam accusaretur,* VI 40, 18 *parum est, si, cuius pars tria adhuc nulla fuit, in partem eius venis, nisi partem petendo totum traxeris?* Plin. Paneg. 60 *parum est ut in curiam venias, nisi et convoces.*

l. 3. **cautorem alieni periculi**] i.e. Pompeium, qui mihi a Clodio cavere voluerat. *Cautor* is qui alteri periculum cavet, 'one who protects another,' 'champion,' not as it is explained in Lewis-Short's Dictionary, 'surety,' 'bail.' [Mr Reid doubts its genuineness and thinks it probably a gloss on the original word.] **suis propriis periculis**] 'dangers to himself exclusively.'

l. 4. **terruisset**] Intr. § 19 and n. on § 69 l. 14.

§ 16, l. 5. **vinctam auspiciis**] Cicero gives a detailed statement on this subject in his speech *de domo sua* c. 14, in which he seeks to prove that the adoption of Clodius was invalid, and accordingly all that Clodius as tribune carried through must be regarded as illegal: § 37 bears especially upon this: *quae maior calumnia est quam venire imberbem adulescentulum, bene valentem ac maritum* (Fonteius was barely 20 years old at the time), *dicere se filium senatorem populi Romani sibi velle adoptare: id autem scire et videre omnis, non ut ille filius instituatur, sed ut, si e patriciis exeat, tribunus plebis fieri possit, idcirco adoptari? neque id obscure; nam adoptatum emancipari statim, ne sit eius filius qui adoptarit. Cur ergo adoptabat? probate genus adoptionis; iam omnium sacra interierint, quorum custodes vos esse debetis; iam patricius nemo relinquetur...Ita populus Romanus brevi tempore neque regem sacrorum neque*

flamines nec Salios habebit nec ex parte dimidia reliquos sacerdotes neque auctores centuriatorum et curiatorum comitiorum; auspiciaque populi Romani, si magistratus patricii creati non sint, intereant necesse est, cum interrex nullus sit, quod et ipsum patricium esse et a patriciis prodi necesse est.

l. 6. **more maiorum**] not *lege*, because the transfer of a patrician into the position of a plebeian was, though contrary to usage, not absolutely forbidden by law.

legum sacratarum] certain laws, a breach of which entailed *sacratio capitis*, that is, caused the offender to be declared *sacer*, and liable to be slain by any one with impunity. Fest. p. 318 ***sacratae leges sunt quibus sanctum est, qui quid adversus eas fecerit, sacer alicui deorum sit cum familia pecuniaque. Sunt qui esse dicant sacratas, quas plebes iurata in monte sacro sciverit.*** Cp. Cic. de off. III § 111 l. 16. It was a *lex sacrata* which enacted that the tribunes must be chosen exclusively from the plebs, and therefore Clodius, being by birth a patrician, was incligible, until he had been adopted into a plebeian family. **solvit**] sc. his vinclis.

l. 7. **subito**] s. Intr. § 7 note 9.

lege curiata] 'by a decree of the patrician curiae,' whose consent was necessary, when a patrician wished to leave his *gens*. **consul**] i.e. Caesar, not in his capacity of consul, but as *pontifex maximus*. The *Comitia curiata* in cases of *arrogatio* (v. Aul. Gell. N. A. v 19) were held *pro collegio pontificum*, i. e. by the Pontifex as representative of the whole *collegium*, who had to examine the grounds for the transfer and to preserve the *sacra gentis*. See J. S. B.'s note p. 277.

vel exoratus...vel iratus] cf. or. de prov. cons. § 42 ***traduxit ad plebem inimicum meum, sive iratus mihi quod me secum ne in beneficiis quidem videbat posse coniungi, sive exoratus.*** Caesar appears to have taken offence at something which Cic. said at the trial of Gaius Antonius.

l. 8. **non nemo putabat**] 'somebody supposed.' [The MSS point rather to *putarit* 'will be likely to think.' J. S. B.]

l. 9. **quidem—certe**] 'but in any case,' see n. to § 15 l. 27.

imprudens] = **non providens**, 'not expecting.'

l. 10. **tribunus plebis**] = ***cum tribunus pl. esset***, ***δήμαρχος ὤν***, 'when tribune of the people.' Cf. § 47 l. 23.

l. 11. **nullis suis nervis**] more forcible than *non aliqua vi sua* (§ 34 l. 32), because Cic. represents him also as *hominem libidinibus exervatum*. The opposition follows in the clause

sed fuit profecto etc., which is tantamount to *sed auxilio consulum*. For *nervi* cp. or. p. Sull. § 24, p. Cael. § 80, de off. II § 36.

l. 12. **fraternis flagitiis**, 'by scandalous intercourse with his own brothers and sisters,' upon which the Scholiast remarks: ***et Appius Claudius maior natu infamis in eundem Clodium fuerat et sorer Clodia, ut saepe iam diximus.*** Lucullus swore in open court to one case of incest: other accounts impute to him even incest with all his three sisters (ep. ad fam. i 9, 15 ***illa furia muliebrium religionum qui non pluris fecerat Bonam Deam quam tris sorores***); hence Cic. speaks of *sororis stupris* designedly instead of *stupris cum sorore*. *Stupra* and *flagitia* are frequently coupled in this sense, as Verr. I § 14, § 62, II § 110, IV §§ 20, 71, 83, 102 etc., de harusp. resp. § 43.

l. 13. **sororis stupris**] Clodius had three sisters, the eldest of whom married Q. Marcius Rex, cons. B.C. 68, the second was the *quadrantaria* and *βοῶπις* of Cic. or. p. Caelio c. 26. She married Q. Metellus Celer, cons. B.C. 60; the third Clodia was the wife of L. Lucullus, cons. B.C. 74. **inaudita**] an allusion to his profanation of the *sacra Bonae Deae;* see Intr. § 6. **exsanguis**] cp. § 24 *cum hominibus enervatis atque exsanguibus consulatus tamquam gladius esset datus.*

§ 17, l. 14. **quaedam**] de off. I § 95 l. 29.

l. 15. **fatalis**] cf. § 72 ***quoniam id etiam fatum civitatis fuit.*** **caecus atque amens**] a combination of the metaphorical with the natural expression, like *caecus ac demens* in Afranius (Nonius p. 124), *caeci atque improvidi*, Q. Curt. VIII c. 46, below § 23 *vaticinari atque insanire*, § 93 *homo castus ac non cupidus*, etc.

l. 16. **quid dicam?—consules?**] [***ἐπανόρθωσις***] de Gabinio et Pisone, magis eos reip. hostes quam consules iudicando, quoniam haec dignitas plus animo quam habitu conseatur. SCHOL. So or. in Vat. § 18 *sedentibus in templo non consulibus, sed proditoribus huius civitatis ac pestibus.* **hocine ut ego nomine appellem**, 'can I be expected to call?' For *ut* of an impossible supposition put interrogatively, cp. Zumpt § 609, Madv. Gr. § 353 *obs.*, Roby § 1708, Kenn. p. 438 § 194, 4); pro Planc. § 31 *pater ut in iudicio capitis obesse filio debeat*, Tusc. II § 42 *egone ut te interpellem*, Liv. IV 2, 12 *illine ut impune concitent finitima bella*, Ter. Phorm. II 1, 8 *hicine ut a nobis tantum argenti auferat*, Hor. II Sat. 5, 18 *utne tegam spurco Damae latus?*

l. 18. **vestrae dignitatis**, 'your judicial dignity,' 'consideration due to you as judges;' cp. § 18 *ab eis se ereptum, ne de ambitu causam diceret, praedicabat.* **perditores**] see cr. n.

l. 19. **delendum**] see n. to § 44 *quem totum de civitate delerant.* On the circumstance see c. 11 and c. 25 f.

ad adfligendum, 'for the purpose of humiliating.' He alludes to the treatment of L. Lamia, § 26, § 29.

l. 21. **insignibus**] besides the *fasces*, which were the chief outward badges of distinction of the consuls, hence called *illis*, the rest were the *sella curulis*, the *toga praetexta*, and the *paludamentum* in time of war, or. p. Cluent. § 154, or. pro Rab. Post. § 16, Ramsay Rom. Antiq. p. 137, Rich Comp. Lat. Dict. p. 199.

[**summi honoris atque imperii**: *summus honos* is one designation for the consulate, *summum imperium* another; and the two are put together after Cicero's favourite fashion. J. S. R.] See n. on de off. I § 26.

l. 23. **si nondum—voltis recordari**, 'to which I must bring you later on in my speech.' He proceeds to describe their external appearance.

l. 24. **vultum atque incessum**] cf. Iuv. Sat. II 17 *qui vultu morbum incessuque fatetur*, Philipp. XIII 4 *ora vobis eorum ponite ante oculos et maxime Antoniorum, incessum, aspectum, vultum.* So Sallust says of Catiline 15, 5: *citus modo, modo tardus incessus.*

CHAPTER VIII

§ 18, l. 27. **alter**] i.e. Gabinius.

unguentis adfluens] cp. or. in Pis. § 25 *Gabinium si vidissent duumvirum vestri illi unguentarii, citius agnovissent. Erant illi compti capilli et madentes cincinnorum fimbriae... dignae Capua sed illa vetere*, or. post red. in senat. § 12, or. in Cat. II § 5, where Catiline's companions are spoken of as *qui nitent unguentis*, ib. § 10 *unguentis obliti*. See Becker's Gallus p. 378. **calamistrata**] 'with the marks of the curling tongs (*calamistrum*) on his hair.' Cf. Verg. Aen. XII 99 *crinis vibratos calido ferro murraque madentis.*

l. 28. **stuprorum**] quae ipse in flore aetatis (*aetatula*) passus erat. *Cf.* de har. resp. § 42 where he says of Clodius: *qui post patris mortem primam illam aetatulam suam ad scurrarum locupletium libidines detulit.*

l. 29. **puteali**] the *puteal Libonis*, or *Scribonianum*, was a monument at the east end of the Forum, so called from its resemblance to a well-mouth, enclosing a spot held to be sacred according to the augural superstitions (*fulguritum*). It was near the arch of Fabius and the site of the praetor's tribunal, which will account for its association with usurers (*faeneratores*),

since this class of creditors would have frequent recourse to the jurisdiction of the praetor (Hor. Sat. II 6, 34). It was altogether distinct from the puteal of the Comitium opposite the Curia Hostilia. See Nichols, *The Roman Forum*, pp. 127—9.

inflatus] according to Halm 'swollen with anger against,' joined with a dative after the analogy of *offensus* (§ 125), *incensus alicui;* comp. Liv. VI 18, 5 *his simul inflatus exacerbatusque;* but it seems better to take it as the ablative 'overbearing, bloated with pride, because of.'

l. 31. **fretu**] a heteroclite form for *freto*, see Verr. V § 169. **ad Columnam**] sc. Maeniam, which was the tribunal of the *triumviri capitales*, for the trial of the lowest malefactors, see n. on § 124, Ramsay, R. A. p. 17. There is also an allusion to the *columna* in the *fretum Siculum*, called here *Scyllaeum fretum*, which the inhabitants of Rhegium had erected, ἡ Ῥηγίνων στυλίς, a large tower-like erection put up in honour of Poseidôn, mentioned in inscriptions. A similar one stood on Pelorum, the opposite Sicilian headland (Strabo III 5, 5 p. 171: ἔθος γὰρ παλαιὸν ἐστῆρχε τὸ τίθεσθαι τοιούτους ὄρους, καθάπερ οἱ Ῥηγῖνοι τὴν στυλίδα ἔθεσαν τὴν ἐπὶ τῷ πορθμῷ καιμένην, πυργίον τι, καὶ ὁ τοῦ Πελώρου λεγόμενος πύργος ἀντίκειται ταύτῃ τῇ στυλίδι). **adhaeresceret**] in a double sense for *naufragium faceret* and *proscriberetur*. Stripped of metaphor the whole passage would have run thus: *ne aere alieno obrutus ad columnam Maeniam proscriberetur*. Transl. 'for fear he should stick fast on the Pillar (i.e. be posted as a defaulter on the Maenian column) in that dangerous whirlpool of debt.'

l. 32. **in tribunatus portum**] or. p. red. in sen. § 11 *qui nisi in aram tribunatus confugisset, neque vim praetoris nec multitudinem creditorum nec bonorum proscriptionem effugere potuisset. Quo in magistratu nisi rogationem de piratico bello tulliset, profecto egestate et improbitate coactus piraticam ipse fecisset.* On the descriptive genitive *tribunatus* see n. on de off. III § 101 l. 32, Kenn. Gr. p. 413. Gabinius protected himself against his creditors by getting the tribunate, for they could not trouble him during his year of office.

P. 9, l. 1. **venditabat se**, 'ingratiated himself with:' cp. ep. ad Att. VIII 16 § 1 *quomodo se venditant Caesari*, Liv. III 35, 5 *se plebi venditare*. [It may be ablative: 'gave himself airs on the strength of his hired ruffians.' J. S. R.] **operis**] the proletarians who could be hired for any purpose; so §§ 27, 88, 89. Cf. or. p. Flacc. § 97 *operae facessant, servitia vileant.*

l. 2. **de ambitu**] ep. ad Quintum fr. I 2 § 15 *remp. funditus amisimus, adeo ut C. Cato, adulescens nullius consilii, sed tamen civis Romanus et Cato, vix vivus effugerit, quod, cum Ga-*

binium de ambitu vellet postulare neque praetores diebus aliquot adiri possent vel potestatem sui facerent, in contionem escendit et Pompeium privatum dictatorem appellavit. After his return from the province Gabinius was accused of several crimes against the state, and amongst them the second time *de ambitu* or illegal canvassing at some election, and being found guilty *de repetundis* or taking money from king Ptolemaeus Auletes when he was defended by Cicero, was obliged to go into exile, from which he did not return until B.C. 49, ep. ad Quint. fr. III 3; IV 16.

l. 3. **invito senatu**, 'in defiance of the senate,' which according to the *lex Sempronia*, passed by Gaius Gracchus in B.C. 123, had to assign to the future Consuls before their election the provinces which they were to govern after the expiration of their term of office. How Gabinius came to have the province which he coveted, will be seen from c. 55.

l. 5. **incolumem fore**, 'would escape bankruptcy;' or. Phil. II § 4 *tu nec solvendo eras nec te ullo modo nisi eversa re p. fore incolumem putabas*, or. Cat. II § 18 *neque enim isti qui possessiones habent alia ratione ulla salvi esse possunt*, i.e. as regards their pecuniary relation. [Is not the reference rather to condemnation in a criminal trial? *Incolumis* and *calamitas* are often contrasted. J. S. B.]

§ 19, l. 5. **alter**] i.e. Piso.

l. 6. **taeter**, 'offensive,' 'loathsome,' illuviosus et foetidus. Ἀλουσίαν et illuviem affectabat, ut philosophus crederetur; cf. Arist. Nub. v. 836: *ἀνεκείρατ' οὐδεὶς πώποτ' οὐδ' ἠλείψατο, οὐδ' εἰς βαλανεῖον ἦλθε λουσόμενος.* ADR.

l. 7. **barbatis**] Plin. nat. hist. VII 59 § 211 *in Italiam ex Sicilia venere tonsores post Romam conditam a.* CCCCLIII (B.C. 301), *adducente P. Titinio Mena, ut auctor est Varro; antea intonsi fuere. Primus omnium radi cotidie instituit Africanus sequens.* Cp. or. p. Cael. § 33 *aliquis mihi ab inferis excitandus est ex barbatis illis; non hac barbula, qua ista delectatur, sed illa horrida, quam in statuis antiquis atque imaginibus videmus*, or. p. Mur. § 26, de fin. IV § 62, Hor. Od. II 15, 11 *intonsi Catonis*, Ovid Fast. VI 264 *intonsi Numae*, Iuv. XVI 31 *dignum barba dignumque capillis maiorum*, where see Mayor's n.

l. 8. **imaginem antiquitatis**, 'a type, pattern of the old regime;' see n. to § 6. **columen**] prop. 'gable, pillar,' hence 'prop,' 'stay;' Hor. Od. II 17, 4 *mearum grande decus columenque rerum.*

l. 10. **purpura**] on the edge of the *tunica* and as a border of the *praetexta*, the white upper garment; great luxury was

displayed in the choice of the most costly and brilliant purple stuffs, as appears from the or. p. Caelio (§ 77), who had been taunted by his prosecutor amongst other things with *purpureae genus*. By *nostra haec plebeia* is meant the common homely sort, which was more violet and inclined to black, in contrast with the *Tarentina* which was of a deeper red, and the still more costly *Tyria*, which at that time had become fashionable. Plutarch Cato min. 6, 2 *ἐπὶ πορφύραν ἐώρα τὴν καταπόρφυρον ἐρυθρὰν καὶ ὀξεῖαν* (dibaphum sc.) *ἀγανακτοῦντας, αὐτὸς δ' ἐφόρει τὴν μέλαιναν*, i.e. fuscam et obtusam. See J. S. B. p. 277.

l. 11. **Capua...Seplasiam sublaturus**] i.e. prohibiturus ne in eo vico unguenta venderentur (*Abrami*): cp. or. Verr. IV § 93 *Agrigento signum sustulisti*, § 112 *Ilenna simulacrum Cereris sustulerit*, Roby Gr. II § 1258, Madv. Gr. § 262, Kenn. Gr. § 158.

l. 12. **duumviratum**] see n. to § 9. It was not unusual for distinguished Romans to hold magistracies in *municipia* and *colonias*, but here Cic. is taunting Piso with vanity as if his object were to embellish his future *imago* with grander titles. It was only curule magistrates that had the *jus imaginis*. **Seplasiam**] the fashionable street in Capua, where hairdressers and perfumers had their shops: or. in Pis. § 24 *incessus Seplasia dignus et Capua.*

l. 13. **nam quid—dicam**] *nam* indicates not, as usually, the reason of what precedes, but the reason why what precedes did not include what is now added: cf. § 26 l. 20, § 95 l. 31 and see note on de off. II § 47.

l. 14. **pignus rei p.**] cf. ep. ad Att. I 19, 3 *ut nos duo quasi pignora reip. retineri videremur.*

l. 16. **supercilio**, 'haughtiness,' 'sternness,' cf. or. in Pis. § 1 *oculi, supercilia, frons, vultus denique totus, qui sermo quidam tacitus mentis est, hic in fraudem homines impulit, decepit, fefellit, induxit*, § 20 *neque hercule ego supercilium tuum fugi, neque tam fui timidus ut frontis tuae nubeculam.....pertimescerem*, § 70, de prov. cons. § 8, § 17.

annus...tamquam vade] see cr. n.

§ 20, l. 18. **tamen**, 'after all,' though the other consul is so bad.

l. 19. **habeo quem opponam**, 'I have a set-off against that vile and shameful fellow,' § 26 *caenum illud ac labes.* Labes (Gr. λώβη, Curt. Griech. Etym. p. 372) 'a disgrace,' not as Abrami takes it, 'one who causes ruin.' See Lewis-Short s.v. p. 1023 a, b. **caeno**] Plaut. Pseud. I 3, 132

(366). *Cf. lutum* Mil. gl. II 3, 54 (825), Truc. IV 4, 1, Most. V 2, 45.

l. 20. me dius fidius, 'by the god of truth! most certainly!' mere L. S. Dict. s.v. vultu 'by his mere look'; cf. *nutu* § 100.

l. 22. auctor et dux] § 38, § 61, § 112, § 139.

l. 25. adfinem] for at that time his daughter Tullia was married to her first husband C. Piso Frugi, the excellent son-in-law whom Cic. lost by death shortly before his return from exile, and who was related to the consul L. Piso. Cf. or. p. red. in sen. § 17 *tu misericors me adfinem tuum, quem comitiis tuis praerogativae primum custodem praefeceras, quem Kal. Jan. tertio loco sententiam rogarus, inimicis rei publicae tradidisti.*

CHAPTER IX

l. 27. alter] Gabinius.

l. 28. clavum] properly 'the tiller' or handle of the rudder, hence the 'rudder' or 'helm' itself: Enn. Ann. v 472 ed. Vahlen, *ut clavum rectum teneam navimque gubernem*, Quint. 2, 17, 24 *dum clavum rectum teneam.* gubernacula tractare] 'to handle the government,' cf. Aesch. S. c. Th. l. 3 *clara νωμῶν*, or. pro Rosc. Am. § 51 *qui omni tempore ad gubernacula reip. sedere debebant*, de orat. 1 § 46 *repelli a gubernaculis civitatum*, Liv. IV 3, 17 *ad gubernacula reip. accedere.* The word in this sense is generally found in the plural. For *tractare* cf. Tac. Ann. II 67 *qui regnum interim tractaret.*

l. 29. in maximo cursu ac fluctibus, 'when at full speed and when the waves run very high,' i. e. in stormy times.

l. 31. lustrorum, 'dens,' 'haunts of vice.' Lustra 'significant lacunas lutosas, quae sunt in silvis aprorum cubilia: a qua similitudine hi, qui in locis abditis et sordidis ventri et desidiae operam dant, dicuntur in lustris vitam agere.' (Fest. Pomp. Paul. p. 120 Muell.) Plaut. Bacch. 4, 4, 91 *quod in lustris comedim*, Cic. Phil. XIII 11, 24.

l. 32. confectum, 'used up,' 'worn out,' Liv. XXIII 45, 2 *vino et scortis omnibusque lustris per totam hiemem confectos*, or. Phil. II § 6 *vino lustrisque confectam.*

P. 10, l. 1. alienis opibus, 'by the aid of others,' i.e. of Caesar, Pompeius and Crassus. Pompeius was bound to him because of his *rogatio de bello piratico*; see n. to § 18 l. 32.

non modo tempestatem...sed ne lucem quidem] i. q. ne lucem quidem—nedum tempestatem. If both clauses have a common predicate, to which the negative belongs, and the predicate stands in the last clause, the negation which lies in *ne—quidem* may be referred to the whole, so that we have in the first clause only *non modo* instead of *non modo non*. Cf. § 45 and see Madvig Gr. § 461 b, Zumpt Gr. § 724 b, Kenn. Gr. p. 326 b, n. 50, Cic. de off. III § 77 l. 34. Translate: 'who, sot as he was, was so far from able to see the coming storm, that he could not even look at the light of day which was so strange to him.' tempestatem impendentem intueri] 'to perceive the signs of a coming storm,' which is the proper business of a skilful pilot. temulentus, 'because he was drunk.'

l. 3. lucem insolitam] Cic. de fin. II § 28: *nolim enim mihi fingere asotos, qui de conviviis efferantur crudique postridie se rursus ingurgitent; qui solem, ut aiunt, nec occidentem umquam viderint nec orientem.*

§ 21, l. 4. in omnis partis] i. q. ex omni parte 'in all respects,' 'on all sides,' de off. I § 7, cf. Nägelsb. lat. Stil. § 67, 3.

l. 5. opinioni, 'the good opinion,' div. in Caec. § 71 *de quo nulla umquam opinio fuit.* blanda conciliatricula] 'which woos so persuasively,' Nägelsb. § 117, 2: cp. de nat. deor. I § 77 *non vides quam blanda conciliatrix sit natura?* For the allusion cf. or. in Pis. § 1 *obrepsisti ad honores commendatione fumosarum imaginum.* boni, 'we patriots.'

l. 6. nobilitati favemus, 'are partial to high birth.' Cf. or. p. Planc. § 18 l. 10 *omnes qui nobilitati favent.*

l. 11. subhorridum est., 'roughish,' § 19 l. 11.

l. 12. eo nomine] i.e. because his name was Piso, it was believed he must also be a *homo frugi*, since the most illustrious of the Pisones were both *frugi* and were called Frugi. *Nomen* must be understood here of the *cognomen* of the *familia*, as or. in Verr. IV 25 § 57: *nimirum ut hic* (Verres) *nomen suum comprobavit, sic ille* (L. Piso Frugi) *cognomen.* familiae] dative after *ingenerata.*

l. 13. gaudebant]. Halm suggests that this word is an interpolation, because this reading sins against the canon of Madvig that in an enumeration of three persons or things only *que*, not *et ac* or *atque*, may be used alone between the last two. 'Ciceronem, ubi tria membra coacervet, aut repetita coniunctione uti aut extremo quoque loco omittere aut *que* ponere.' Ep. ad Or. p. 89. See also Opusc. I p. 332 ff., Gr. § 434 obs. 1, Zumpt Gr. § 783. Perhaps *favebant—gaudebant* may be

considered as forming one clause, to which *et vocabant* is appended.

et ad integritatem maiorum spe sua vocabant] they hoped he would be as honest as his ancestors.

l. 14 **materni generis**] his mother was of Gaulish descent. Of his father's father-in-law Cic. says in a fragment of his speech against Piso: *Insuber quidam fuit, idem mercator et praeco: is cum Romam cum filia venisset, adulescentem nobilem Caesoninum, hominis furacissimi filium, ausus est appellare, filiam conlocavit.* Cf. or in Pis. § 53 where he calls him *bracatae cognationis dedecus*, ib. § 62 where he speaks of his grandfather as *Mediolanensis praeco*, 'a public crier at Milan.'

§ 22, l. 15. **vere dicam**] see cr. n. to or p. Planc. § 24 l. 17 p. 209.

l. 16. **in homine**] emphatically for *in eo*, 'in the man,' as l. 25 *sermo hominis* and § 53, § 88, § 89. *Homo* and *vir* are often used for *ille* and *is*, and so *res* for *id*, s. Fabri on Liv. XXI 4, 8, Kühner ad Tusc. Disp. I § 49, Kritz ad Sall. Iug. c. 70 p. 377. **sceleris est.**] genitive of divided indefinite whole after *tantum*, Madv. Gr. § 215 b, Zumpt Gr. § 432, Roby II § 1296 (b).

l. 17. **cum re publ. sensi**, 'I felt in common with the state.'

numquam putavi, 'I never should have thought,' Germ. *ich hätte nie geglaubt*, Gr. *οὐδέποτ' ἠλπισα* (Arist. Av. v. 956). Cp. de off. 1 § 81 with note, Sallust Iug. XI 7 *quod verbum in pectus Iugurthae altius, quam quisquam ratus erat, descendit*, de imp. Pomp. § 25 *quantum incolumis numquam est ausus optare*, i.e. 'never would have dared.' **nequam sciebam**] 'though I certainly did know he was a rogue.'

l. 18. **errore**, 'misconception,' 'delusion.' *Falsa opinione* seems to be a gloss on *errore* which has crept into the text.

l. 19. **ab adulescentia commendatum**, 'from his youth onwards,' or perhaps 'by his youth;' cp. ep. ad fam. XIII 10, 1 *satis enim commendatum tibi eum arbitrabar ab ipso more maiorum;* or. p. Sull. § 71 *intellegetis unum quemque eorum prius ab sua vita quam vestra suspicione esse damnatum*, where Mr Reid notes that the ablative with *ab* after a passive verb is only found in the best Latin, when the noun is capable of being personified.

l. 20. **animus eius voltu—tegebantur**, 'his mind was concealed in his face, his scandalous acts by the walls of his house.' Cf. or. de pr. cons. § 8 *lateant libidines eius illae tenebricosae, quas fronte et supercilio, non pudore et temperantia contegebat.* **animus** = 'his true, real feelings.'

l. 21. **obstructio**, 'barrier,' 'screen,' i.e. **dissimulatio** in reference to *voltus: obducta* 'drawn in front of,' 'interposed.'

l. 22. **curiosis**, 'inquisitive.'

CHAPTER X

l. 23. **desidiam**, 'deficiency of energy,' **inertiam**, 'incapacity to do anything useful:' the *deses* does not make use of the power which he has, the *iners* has none.

l. 24. **inclusas**, 'confined,' i.e. secret. **paulo propius**] **in aedes ipsius.** MAN.

l. 25. **sermo hominis**] above l. 16, see cr. n.

ansas—quibus—tenere possemus, 'handles to enable us to apprehend his inmost sentiments.' *Ansa* in the metaph. sense of 'occasion,' 'opportunity' (= Gr. λαβή), is rare in class. Latin. Cicero uses it in or. p. Planc. § 84 *si locus habet reprehensionis ansam aliquam*, or. p. Caecin. § 17 *ansam retinere omnium controversiarum*, de am. § 59 *quo plures det sibi tamquam ansas ad reprehendendum*, where the metaphor is qualified by *tamquam*. *Tenere* is used as appropriate to *ansas*.

§ 23, l. 27. **nescio quos**] spoken contemptuously, and perhaps also to avoid the appearance of learning. **neque eorum tamen nomina poterat dicere**] 'without however being able to tell their names.' Hence in the speech in Pison. § 37 he addresses him as *Epicure noster, ex hara producte, non ex schola.* Piso had for a companion (or. in Pis. § 68 *est quidam Graecus qui cum isto vivit*) the Epicurean Philodemus.

l. 30. **auctores**] i.e. **doctores**, 'teachers,' 'professors,' the founders and representatives of the doctrine that pleasure (*voluptas, ἡδονή*) is the *summum bonum*. The Cyrenaics and Epicureans are meant.

cuius] sc. *voluptatis;* for with Epicurus mere sensual pleasure did not pass for the *summum bonum*, but that comfortable calmness of soul, in which free from sorrow and fear and all exciting emotions (*ἀταραξία*) he lived in unmolested enjoyment. So he says in a letter preserved by Diogenes Laërtius X § 131: *ὅταν οὖν λέγωμεν ἡδονὴν τέλος* (i.e. *summum bonum*) *ὑπάρχειν, οὐ τὰς τῶν ἀσώτων ἡδονὰς καὶ τὰς ἐν ἀπολαύσει κειμένας λέγομεν, ἀλλὰ τὸ μήτε ἀλγεῖν κατὰ σῶμα μήτε ταράττεσθαι κατὰ ψυχήν.*

quo tempore] sc. **percipiendae.** A passage in the speech against Piso § 68 furnishes a comment on this; see also or. p. red. in sen. § 14. Reid suggests *cuius de tempore et modo.*

l. 31. **verbum ipsum**] sc. **voluptatis.**

l. 32. **omnibus animi et corporis partibus**] The substantive with which *omnibus* agrees is not found in the best mss. The most probable supplement is *viribus* or *partibus*. Cf. or. p. red. in sen. § 14 *eos qui disputent...in omni parte corporis semper oportere aliquod gaudium delectationemque versari*, ep. ad Att. III 7, 3 *ad te plura scriberem, nisi mihi dolor meus cum omnis partis mentis...ademisset.* The allusion is illustrated by a passage in the speech against Piso § 69: *itaque admissarius ille, simul atque audivit voluptatem a philosopho tanto opere laudari, sic suos sensus voluptarios omnis incitavit...ut non magistrum virtutis, sed auctorem libidinis a se illum inventum arbitraretur.*

devorarat, 'had devoured,' i. e. accepted with eagerness and greedily, ep. ad Att. VII 3, 2 *illos libros devorasti*, I 16, 10 *Regis hereditatem spe devorarat*, Plaut. Asin. III 3, 59 *mea dicta devorate*, Poen. V 2, 9 *quam orationem hanc aures dulces deverant!* Cf. Shakesp. Oth. I 3, 150 *and with a greedy ear devour up my discourse.*

P. 11, l. 1. sua causa facere, 'act in their own interest,' selfishly, in opposition to *rei publicae consulere* (§ 1), since Epicurus, in pursuance of his motto 'λάθε βιώσας,' taught that it behoves the wise man not πολιτεύεσθαι = *rem publicam capessere* 'to meddle with politics,' nor τυραννεύειν (Diog. Laërt. 10, 119). What to him a life ἀπολίτευτος = *otiosa* was, would by many be misrepresented as a life *plena voluptatum.* Cp. ep. ad fam. (Trebat.) VII 12, *indicavit mihi Pansa meus Epicureum te esse factum. Sed quonam modo ius civile defendes, cum omnia tua causa facias, non civium;* ib. § 2 *quis bonus est qui facit nihil nisi sua causa? Quid fiat porro populo Ulubrano, si tu statueris πολιτεύεσθαι non oportere!*; de fin. I, II.

l. 2. **bene sanum**] Hornt. Sat. I 3, 61 *pro bene sano ac non incauto fictum astutumque vocamus*, ib. 9, 44 *mentis bene sanae.*

l. 4. **plena et conferta voluptatibus**] i. e. 'when crammed full of delights,' Tusc. III § 44 *confertus voluptatibus*, de fin. II § 64 *vita conferta voluptatum omnium varietate.*

eos autem cet.] as the Stoics, Academics and Peripatetics, who wished their pupils to be πρακτικοί. Cic. de fin. III § 68: *cum ad tuendos conservandosque homines hominem natum esse videamus, consentaneum est huic naturae, ut sapiens velit gerere et administrare rempublicam*, Hor. Epist. I 1, 16 with Orelli's note.

l. 5. **dignitati**] a fitting position in public life.

l. 6. **rationem—ducendam**] i.q. habendam, 'that we must take account of,' 'pay regard to:' cf. ep. ad fam. VII 3, 1 *malim ... quam salutis meae rationem ducere*, or. p. Sext. Rosc. Am. § 128 *non ullius rationem sui commodi ducit*, or. in Verr. II § 129 *qui non tam caeli quam caelati argenti rationem duceret*, ib. III § 126 *debere eum aiebat suam quoque rationem ducere.*

l. 7. **adeunda**] = subounda, below § 62, Tusc. II § 58 *illa pericula adeuntur in proeliis*, de fin. II § 56 *adeunda sunt saepe pericula decoris honestatisque causa.* **vulnera excipienda**] Tusc. V § 79 *ita propugnant ut vulnera excipiant*, Quintil. VI 3, 75 *ostendenti vulnus ore exceptum.* Similarly we find *plagas* and metaph. *impetum, vim, pericula, invidiam excipere.*

l. 8. **vaticinari**, 'to rave,' 'dote,' 'talk idly and quixotically,' like an enthusiast, ep. ad fam. II 16, 6 *sed ego foriasse vaticinor et haec omnia meliores habebunt exitus.* We find *hariolari* used in a similar sense by Plautus and Terence. On the combination of *vaticinari* and *insanire* see n. to § 17, l. 15.

§ 24, l. 12. **sermonis**] we should have expected some word, as Halm suggests, like *sordium, caeni* (= sordidae vitae) or *disciplinae* as suggested by Koch, who reads *nidoris.*

l. 18. **ab illis nugis**, 'those trifles:' ep. ad Att. VI 3, 5 *amicos habet meras nugas.*

l. 14. **quidem certe**] see n. to § 15 l. 27. **sed ita est**] § 115 *sit hoc sane leve: quod non ita est*, de orat. III § 85 *quod non est ita.* Observe that *ut* is correlative to *sic* l. 18.

l. 15. **imbecillo ac debili**, 'infirm and disabled.'

l. 17. **sin**] does not stand in opposition to *dederis*, but to the conditional sentence implied in *ipse* = si nullis nisi suis ipsius viribus utatur, 'of himself, by his own effort he could not harm anybody, but if he approached an unarmed man, he might inflict a wound by the mere sharpness of the weapon.'

l. 20. **qui per se pungere neminem u. potuissent**, 'who of themselves would never have had the power to inflict a scratch on the skin of a single individual.' *Contrucidarunt* = κατέκαυσεν 'cut to pieces:' cf. § 79. Observe the chiasmus *pungere neminem—remp. contrucidarunt.*

l. 23. **tribuno pl.**] P. Clodius. **provinciis**] see § 55, § 71, § 93 and Introd. § 18, and cf. or. p. red. ad Quir. § 13 *cum*

ad adfligendum, 'for the purpose of humiliating.' He alludes to the treatment of L. Lamia, § 26, § 29.

l. 21. insignibus] besides the *fasces*, which were the chief outward badges of distinction of the consuls, hence called *illis*, the rest were the *sella curulis*, the *toga praetexta*, and the *paludamentum* in time of war, or. p. Cluent. § 154, or. pro Rab. Post. § 16, Ramsay Rom. Antiq. p. 137, Rich Comp. Lat. Dict. p. 199.

[summi honoris atque imperii: *summus honos* is one designation for the consulate, *summum imperium* another; and the two are put together after Cicero's favourite fashion. *s. a. n.]* See n. on de off. I § 26.

l. 23. si nondum—voltis recordari, 'to which I must bring you later on in my speech.' He proceeds to describe their external appearance.

l. 24. vultum atque incessum] cf. Iuv. Sat. II 17 *qui vultu morbum incessuque fatetur*, Philipp. XIII 4 *ora vobis eorum ponite ante oculos et maxime Antoniorum, incessum, aspectum, vultum.* So Sallust says of Catiline 15, 5: *citus modo, modo tardus incessus.*

CHAPTER VIII

§ 18, l. 27. alter] i. e. Gabinius.

unguentis adfluens] cp. or. in Pis. § 25 *Gabinium si vidisset duumvirum vestri illi unguentarii, citius agnovissent. Krant illi compti capilli et madentes cincinnorum fimbriae... dignae Capua sed illa vetere*, or. post red. in senat. § 12, or. in Cat. II § 5, where Catilino's companions are spoken of as *qui nitent unguentis*, ib. § 10 *unguentis obliti*. See Becker's Gallus p. 378. **calamistrata]** 'with the marks of the curling tongs (*calamistrum*) on his hair.' Cf. Verg. Aen. XII 99 *crinis vibratos calido ferro murraque madentis.*

l. 28. stuprorum] quae ipse in flore aetatis (*aetatula*) passus erat. Cf. de har. resp. § 42 where he says of Clodius: *qui post patris mortem primam illam aetatulam suam ad scurrarum locupletium libidines detulit.*

l. 29. puteali] the *puteal Libonis*, or *Scribonianum*, was a monument at the east end of the Forum, so called from its resemblance to a well-mouth, enclosing a spot held to be sacred according to the augural superstitions (*fulguritum*). It was near the arch of Fabius and the site of the praetor's tribunal, which will account for its association with usurers (*faeneratores*),

since this class of creditors would have frequent recourse to the jurisdiction of the praetor (Hor. Sat. II 6, 34). It was altogether distinct from the puteal of the Comitium opposite the Curia Hostilia. See Nichols, *The Roman Forum*, pp. 127—9.

inflatus] according to Halm 'swollen with anger against,' joined with a dative after the analogy of *offensus* (§ 125), *invidiosus*; comp. Liv. VI 18, 5 *his simul inflatus exacerbatusque*; but it seems better to take it as the ablative 'overbearing, bloated with pride, because of.'

l. 31. fretu] a heteroclite form for *freto*, see Verr. V § 169. **ad Columnam]** sc. Maeniam, which was the tribunal of the *triumviri capitales*, for the trial of the lowest malefactors, see n. on § 124, Ramsay, R. A. p. 17. There is also an allusion to the *columna* in the *fretum Siculum*, called here *Scyllaeum fretum*, which the inhabitants of Rhegium had erected, ἡ Ῥηγίνων στυλίς, a large tower-like erection put up in honour of Poseidôn, mentioned in inscriptions. A similar one stood on Pelorum, the opposite Sicilian headland (Strabo III 5, 5 p. 171: ἔθος γὰρ παλαιὸν ὑπῆρχε τὸ τίθεσθαι τοιούτους ὅρους, καθάπερ οἱ Ῥηγῖνοι τὴν στυλίδα ἑστῶσαν τὴν ἐπὶ τῷ πορθμῷ κειμένην, πύργον τι, καὶ ὁ τοῦ Πελώρου λεγόμενος πύργος ἀντίκειται ταύτῃ τῇ στυλίδι). **adhaeresceret]** in a double sense for *naufragium faceret* and *proscriberetur*. Stripped of metaphor the whole passage would have run thus: *ne aere alieno obrutus ad columnam Maeniam proscriberetur*. Transl. 'for fear he should stick fast on the Pillar (i. e. be posted as a defaulter on the Maenian column) in that dangerous whirlpool of debt.'

l. 32. in tribunatus portum] or. p. red. in sen. § 11 *qui nisi in aram tribunatus confugisset, neque vim praetoris nec multitudinem creditorum nec bonorum proscriptionem effugere potuisset. Quo in magistratu nisi rogationem de piratico bello tulisset, profecto egestate et improbitate coactus piraticam ipse fecisset.* On the descriptive genitive *tribunatus* see n. on de off. III § 101 l. 32, Kenn. Gr. p. 413. Gabinius protected himself against his creditors by getting the tribunate, for they could not trouble him during his year of office.

P. 9, l. 1. venditabat se, 'ingratiated himself with:' cp. ep. ad Att. VIII 16 § 1 *quomodo se venditant Caesari*, Liv. III 35, 5 *se plebi venditare.* [It may be ablative: 'gave himself airs on the strength of his hired ruffians.' *J. S. R.*] **operis]** the proletarians who could be hired for any purpose; so §§ 27, 38, 59. Cf. or. p. Flacc. § 97 *operae facessant, servitia sileant.*

l. 2. de ambitu] ep. ad Quintum fr. I 2 § 15 *remp. funditus amisimus, adeo ut C. Cato, adulescens nullius consilii, sed tamen civis Romanus et Cato, vix vivus effugerit, quod, cum Ga-*

l. 18. **in aede Concordiae**] in the *cella* of which on the 5th of Dec. B.C. 63 the Senate pronounced its decree for the execution of the Conspirators: or. Phil. II § 19 *cum in hac cella Concordiae, in qua me consule salutares sententiae dictae sunt, quibus ad hanc diem viximus, cum gladiis homines collocati stent.* **repraesentabat**] 'realised' or 'revived.'

l. 19. **universus ordo**] sc. equitum, as represented by their deputies. Cf. Dion Cass. 38, 16 *οἵ τε ἱππεῖς συνελθόντες ἐς τὸ Καπιτώλιον πρέσβεις ὑπὲρ αὐτοῦ πρός τε τοὺς ὑπάτους καὶ τὴν γερουσίαν...ἔπεμψαν, καὶ ὁ Νίννιος τά τε ἄλλα αὐτῷ συνήρετο, καὶ τὴν ἐσθῆτα τῷ πλήθει, ὡς καὶ ἐπί τινι κοινῇ συμφορᾷ, μεταβάλλειν παρῄνεσε· καὶ πολλοὶ τοῦτο καὶ τῶν βουλευτῶν· καὶ οὐ πρότερόν γε μετεβάλλοντο, πρὶν τοὺς ὑπάτους σφίσι διὰ προγραφῆς ἐπιτιμῆσαι.* **fiens**] 'with tears,' rhetorically for 'in pathetic tones.'

l. 20. **cincinnatum**] i.e. Gabinius; cf. § 18 *calamistrata coma.* **nam alter ille**] 'for as to that other consul' (Piso). On this elliptical use of *nam*, cf. § 95 l. 31, § 129 l. 6 and see n. on de off. II § 47, or. p. Planc. § 21 l. 13.

l. 21. **horridus**] § 21 l. 11. **consulto se domi continebat**, 'stayed at home on purpose,' according to Dion Cassius 38, 16 because he was unwell, cf. or. in Pis. § 13, Intr. § 15.

l. 22. **caenum illud ac labes**] § 20 l. 19.

l. 25. **patrimonii**] sc. helluonem. **quod ille totum**] see n. to § 11 l. 22.

quamvis quaestum faceret, 'notwithstanding his filthy trade,' § 18 l. 28, or. post red. in sen. § 11 *qui cum suam rem non minus strenue quam postea publicam confecisset, egestatem et luxuriem domestico lenocinio sustentavit.* Cf. Aesch. c. Timarch. § 94 *ἀποθαυμάζων οὖν περιέρχεται καὶ τερατευόμενος κατὰ τὴν ἀγορὰν εἰ ὁ αὐτὸς πεπόρνευταί τε καὶ τὰ πατρῷα κατεδήδοκεν.*

l. 26. **venistis ad senatum**] see cr. n. *Ad senatum*, not *in senatum*, because the deputation were not allowed to enter, Introd. § 14.

l. 29. **latrone**] § 1 l. 14.

l. 30. **L. Ninnius**] § 68 l. 23, or. p. red. in sen. § 3 *qui non multo post dicessum meum me universi revocavistis, referente L. Ninnio, fortissimo atque optimo viro; quem habuit ille pestifer annus et maxime fidelem et minime timidum, si dimicare placuisset, defensorem salutis meae*, ep. ad Att. III 23.

l. 31. **de re publica rettulit**, 'brought before the senate for discussion the state of public affairs in general,' which was so serious as to appear to require a *vestis mutatio*. As the consul had refused the *relatio*, the tribune of the plebs exercised his right of proposing the subject for debate, a right which he possessed together with that of holding the senate (*vocatio senatus*).

l. 32. **vestem—mutandam censuit**] or. p. Planc. § 29 l. 22, § 87 l. 18. When the senate, as a mark of sorrow, passed a resolution to change their dress, this consisted in the magistrates laying aside their official garb, the *toga praetexta*, the rest of the senators changing the *latus clavus* or broad vertical stripe of purple in front of their tunic for the *angustus*; while the Equites discontinued wearing their *tunica angusticlavia* and gold ring and the rest of the citizens probably wore the toga *pulla*. [The Senate not unfrequently passed these resolutions when public affairs seemed serious, Liv. Epit. CV *cum Gaii Catonis tribuni plebis intercessionibus comitia tollerentur, senatus vestem mutavit.* J. S. R.]

CHAPTER XII

P. 13. § 27, l. 1. **funestum**] because the senate as well as himself had suffered a fatal blow; § 58 *illo ipso die, qui mihi funestus fuit, bonis omnibus luctuosus.*

l. 2. **ad domesticum maerorem gravem**, 'with regard to' is expressed with adjectives by *ad*, when mention is made of something external to the subject, in reference to which the judgment is expressed, Madvig Gr. § 253 *obs.*, Kenn. Gr. p. 294, Roby Gr. II 1209, Zumpt § 206, n. to Cic. de off. II § 50 l. 25, and add to the examples there quoted Cic. de orat. I § 113 *ad memoriam firmi atque diuturni*, or. in Cat. III § 19 *insignis ad deformitatem puer*, de nat. deor. II § 62 *ad rationem sollertiamque praestantior*, or. in Verr. II § 58 *ad speciem magnifico ornatu, ad sensum cogitationemque acerbo*, de leg. II 13, 33 *multa ad veritatem admirabilia*, III 8, 19 *insignis ad deformitatem.*

l. 4. **ex omni memoria sumere**, 'to choose from all history:' *sumere*=eligere, as in Verr. III § 104 *unum annum eligam...sumam annum tertium*, or. p. Rosc. Am. § 47 *verum homines notos sumere odiosum est.*

l. 5. **pro uno cive**] [*ἕξω τοῦ πράγματος*] quidem videtur illorum temporum memoriam recensere; sed plurimum ad praesentem defensionem P. Sestii valet; quippe si omnes ordines statim post expulsum Ciceronem de eius reditu labora-

runt, non tantum excusatione sed laude dignus videbitur Sestius, qui praesidiis, quibuscumque posset, enisus sit ut P. Clodii conspiratio vinceretur. SCHOL.

l. 7. **quae quidem**] the *quidem* serves to give greater prominence to the relative: 'yet this change of raiment.'

non deprecationis causa] [When the senate resolved *vestem mutandam pro* ('in defence of') *mea salute*, it was trying to secure Cic. by its authority and not by *deprecatio;* only the Equites were *deprecatores salutis suae.* J. S. B.]

l. 9. **quem deprecarere**, 'with whom should one intercede?' i.e. when all were intercessors except the *improbi* who would alone be without mourning. On this use of the conjunctive see Kenn. Gr. p. 339 II B. **omnes**] § 32 l. 15. **sordidati**] 'shabbily dressed,' § 1 l. 12, § 144 l. 24.

l. 10. **signi**] gen. after the quantitative adverb *satis*, Kenn. p. 419. **esse improbum**] indef. subject. **qui mutata veste non esset**] the non-change of raiment, a closer definition of *hoc*, the subject of *satis esset signi.* So in Greek ὅτι ἄν is used for ἄν τις, above § 1 l. 1. For the abl. see Roby Gr. II § 1232, Madv. Gr. § 272, § 287 obs. 2.

l. 12. [**omitto quid**, an ellipse of *dicere* not uncommon after *omitto;* cf. or. p. Balb. § 43 *omitto quantis ornamentis populum affecerit.* J. S. B.] **rerum divinarum...praedo**] see § 56.

l. 13. **adesse iusserit**=*arcessiverit* 'summoned,' see Intr. § 14.

l. 15. **deprecatores salutis meae**, 'intercessors for my safety;' cf. or. p. Plane. § 102 l. 24 *deprecatorem fortunarum tuarum.* Elsewhere *deprecator* takes the genitive not as here of the thing which it is sought to secure but of that which it is desired to avert by praying, as in or. p. Flacco § 1 *miseriarum deprecatorem.* On the meaning of *deprecor* see my n. to or. p. Plane. § 102 l. 30. **operarum**] § 38 l. 1.

l. 16. **obiecerit**] Intr. note 21.

§ 28, l. 19. **quam si—incidisset**] i.e. *quam* fuisset, *si incidisset*, a common form of ellipsis: cf. Liv. XXI 2, 6 *haud alio quam si evasisset vultu*, XXII 22 16 *acta per eundem ordinem, quo si Carthaginiensium nomine sic ageretur*, sc. *quo* acta forent *si*, XXIV 8, 18 *suadeo eodem animo, quo si stantibus vobis in aciem armatis repente deligendi duo imperatores essent,—hodie quoque consules creentis.* **ante**] § 18 l. 28. **creditorum conventum**] 'meeting of creditors.' For another meeting of *conventus* see § 9 l. 1.

§ 28, l. 21. **victor**]=si victor fuisset: see above § 16 l. 10, § 24 l. 27.

l. 22. **homines**, 'men in general,' 'the public,' § 71 l. 13, § 105 l. 2. **aliquid**)(nihil, § 10 l. 9, see n. to or. p. Plane. § 20 l. 4.

l. 24. **illius diei**] the 5th of December B.C. 63 (or. p. Flacco § 102), when the *Equites* occupied the ascent to the Capitol (*clivus Capitolinus*) to protect the senators who were holding a meeting in the temple of Concord for the condemnation of the Catilinarians, Cic. or. Phil. II § 16 l. 23 ed. Mayor, post red. in s. §§ 12, 32, Sallust Cat. c. 49 § 4, ep. ad Att. II 1 § 7 whence we learn that Atticus was active among the foremost. [There is a curious comment on this passage in Aulus Gellius N. A. 9, 14, 6 in which he says that Caesellius asserts that Cic. wrote *dies* here for *diei.* J. S. B.] Mr Reid thinks that *qui me* (*quine* MS P) is right, the clause *qui fuissent* being causal.

l. 25. **cum gladiis—fuissent**] § 82 l. 32.

l. 27. **omni supplicio**, 'every kind of,' 'every possible punishment.' Cf. below § 94 *quibus* omne supplicium *atque omnis iure optimo poena debetur*, § 127 l. 5.

l. 28. **ipsa**, 'alone.'

§ 29, l. 30. **L. Lamiam**] Cic. ep. ad fam. XI 16, 2 *L. Lamia praeturam petit: hoc ego utor uno omnium plurimum... nihil mihi eius est familiaritate iucundius. Magno praeterea beneficio eius magnoque merito sum obligatus; nam Clodianis temporibus, cum equestris ordinis princeps esset proque mea salute acerrime propugnaret, a Gabinio consule relegatus est, quod ante id tempus civi Romano Romae contigit nemini.*

P. 14, l. 1. **relegavit**] Festus p. 278 Müller: relegati *dicuntur proprie, quibus ignominiae aut poenae causa necesse est ab urbe Roma aliove quo loco abesse lege senatusve consulto aut edicto magistratuis* (i.e. under the empire, for during the Republic the magistrates had no right whatever to banish citizens by edict. J. S. B.], *ut etiam Aelius Gallus iudicat.* Relegatio therefore was a milder punishment than *exsilium*, because the offender was sent only a certain distance from Rome and usually for a limited time, without incurring *capitis deminutio.* Hence Ovid Trist. II 137 says *relegatus, non exsul dicor in illo* (edicto), V 11, 21 *ipse relegati, non exsulis, utitur in me Nomine.*

l. 2. **quod esset ausus**, 'ascribing as the cause, that he dared,' Madv. Gr. § 357 a, Roby Gr. II 1744.

l. 3. **civi**] See above § 11 l. 32, n. to or. p. Plane. § 51 l. 32.

CHAPTER XIII

l. 5. **quid hoc homine facias,** 'what is one to do with such a fellow as this?' pure subjunctive of the modified question, Madvig Gr. § 353, Roby Gr. § 1610, Kenn. Gr. p. 339, cf. § 27 l. 9. The dative also is used in this sense after *facio* and *fio*, Madv. Gr. § 241 *obs.* 5, § 267 *obs.* [The ablative is a sort of instrumental abl.; the dative a sort of dat. commodi. J. S. R.]

l. 6. **quo**]=ad quid. **importunum,** 'abominable,' as in §§ 38, 42. For the history and meaning of the word see Reid on or. p. Sull. § 66 l. 19. **aut quo potius**] Verr. III § 173: *quae est ergo ista ratio aut quae potius amentia frumentum improbare id etc.?*

l. 7. **ut omittam**] not a final parenthetical clause (§ 32 l. 23, Kenn. Gr. p. 458, n. on or. p. Planc. § 25 l. 26), but a limitative clause, 'under such circumstances that, supposing that, I do not speak of his other qualities,' cf. § 1 l. 8.

l. 8. **immani impuroque**] cf. de re p. I 9 *cum impuris atque immanibus adversariis decertantem.*

l. 9. **expulerit, relegarit**] When an enumeration consists only of two members, Cic., except in certain special cases, never omits the copula; when there are three or more members, he either puts *et* before each member after the first or leaves it out altogether. See Madvig on de fin. IV 56 and opusc. I p. 333 sq., Reid on de amic. § 12 l. 7. Hence some editors bracket *relegarit.*

l. 12. **cum bonis omnibus,** 'with all loyal citizens,' see above § 1 l. 6.

l. 14. **sed ut edicto eiecerit**] the *ut* is an emphatic repetition of the *ut* before *expulerit,* 'but that by his edict, I say, etc.'

§ 30, l. 15. **socii et Latini**] a standing formula for the designation of the Italian people dwelling out of Rome who were under the protection of and allied with Rome, de am. § 12. [It is a common error to suppose that *Latini* cannot be described under the term *socii.* J. S. R.]

l. 16. **perraro**] the last time it happened was when Gaius Gracchus had proposed to bestow the franchise on them. The senate then carried a resolution, on the motion of the consul Fannius B.C. 122, permitting the ejection from the city of all non-burgesses before the day for the decisive vote. Plutarch C. Gracch. c. 12, Appian b. c. I 23, Mommsen's Hist. Rome III p. 130 ed. ma. [There was also a lex of Gaius Papius (n containing the same provisions respecting all who w domiciled in Italy. J. S. R.]

l. 17. **atque**] advers. 'and yet.' **erat,** 'was open

l. 21. **exterminabit**]=exterminare ei licebit, torical future in a question, which is proposed to th ment for forming a conclusion: the present subjunctive similarly, as *audeas* § 32 l. 27. Cf. Hor. Ep. I 7, 63 *ne mihi?* **suis**] Kenn. Gr. p. 489.

l. 22. **deliget—damnabit**] a rhetorical asyndet deligat ut damnet.

l. 23. **nominatim**] cf. § 65, or. p. dom. § 43 *acerbitas temporis quid habet, quod maxime sit insigne ad m crudelitatis, opinor, poenam in civis Romanos nom sine iudicio constitutam.* **propria,** 'personal.'

l. 24. **eos qui nunc estis,** 'the men you now are absolute and uncontrolled exercise of your judicial offic **denique,** 'yes, if.'

l. 25. **imaginem iudiciorum**] for such an offenc have been liable to a charge *de maiestate.* Cf. ep. ad 1 *in qua* (*rep.*) *nec senatus nec populus vim habet ullam n ullae sunt nec iudicia, nec omnino simulacrum ali vestigium civitatis. Imago* and *simulacrum* are the most terms for any representation, whether in statuary o ing: *imago* (*εἰκών*) being allied to the original, as to a by a striking likeness of form: *simulacrum* (*εἴδωλον* opposed to the original, as a real being, by a deceptive in of its form; the latter comprehends the whole figure, the former denotes the copying of the characteristic pa the features.

l. 29. **ius libertatemque pervertere**] as he did by ing Lamia.

§ 31, l. 32. **aut tam alte repetita**] *aut* for *et* beca sentence is virtually negative. Cf. § 100 l. 15. **alte r** 'going so far back.' Cf. or. p. Cluent. § 58 *incipit longo petito proemio respondere,* de orat. III § 91 *quorum haec tam longa et tam alte repetita oratio,* de leg. I § 18 *a capite repetis quod quaerimus,* de rep. IV 4, 4 *ita su repetita fundamenta quaedam verecundiae.*

P. 15, l. 1. **ad P. Sesti causam**] See the scholiast's c tion on § 27 l. 5, and also Intr. § 28.

l. 2. **ante huius tribunatum**] because Gabinius was the year before the tribunate of Sestius.

l. 3. **hoc—ostendere**] the infinitive is epexegetic of *hoc*, as in § 82 l. 3.

l. 4. **mentem**, 'policy,' 'aim,' 'purpose.' Cf. ep. ad fam. x 13, 6 *quae mens eum a tanta gloria avocarit*, XII 14, 4.

l. 6. **mederetur**] cf. § 51 *horum periculorum est in republica retinenda medecina.*

l. 7. **ignoscitote**] See Reid on or. p. Balb. § 17 l. 22. The forms of the imperative in *-to*, *-tote* convey a somewhat stronger and more formal command or entreaty than the ordinary forms. The attempt to distinguish tenses in the imperative forms is quite futile. **plura** = 'more than enough,' 'too much.'

l. 10. **non suo sed meo nomine**] i.e. not because he is chargeable with any offence personally, but because he has been mixed up with my concerns. Cf. § 64 *me civem nullo meo crimine sed patriae nomine laborantem*, § 146 l. 28.

l. 11. [**omnem vim**: would Cic. bring the idea of force here into connexion with Sestius' action? For *omnē* ut read *omne ius*. J. S. R.] **in mea salute consumpserit**] so or. p. Planc. § 78 *ut omne studium meum in Cn. Plancii honore consumerem.*

l. 12. **meam causam praeteriti temporis**] cf. § 15 l. 20 *totum superioris anni rei publicae naufragium*, or. p. Mur. § 8 *hominis amplissimi...causam tanti periculi.*

CHAPTER XIV

§ 32, l. 14. **igitur**] resumptive, see n. on or. p. Planc. § 36 l. 12. **erat in luctu**] an example of the figure *μερισμός*, with which we may compare the famous one in or. p. Milone § 20, where Cicero is describing (ironically) the general grief at the death of Clodius. *P. Clodii mortem aequo animo nemo ferre potest: luget senatus, maeret equester ordo, tota civitas confecta senio est; squalent municipia, adflictantur coloniae; agri denique ipsi tam beneficum.....civem desiderant.*

squalebat civitas, 'the whole state wore a garb of woe.' *Civitas* is here identified with the *boni cives* (§ 27), who followed the example of the senate (§ 26).

l. 16. **municipium, colonia, praefectura**] the three kinds of towns with the right of Roman citizenship since the passing of the *lex Iulia* B.C. 98; the first was a town governed by its own laws and magistrates, the second was a settlement in a conquered country, who retained the rights and privileges of

Roman citizens, and whose government was an imitation on a small scale of that at Rome, consisting of a senate (*decuriones*) and officers (*duumviri*) representing consuls; the third was an Italian city governed by an officer (*praefectus iuri dicundo*) from Rome, nominated annually by the *praetor urbanus*, and in some cases elected at the *comitia tributa* under his presidency. [Observe that *Italiae* goes with all three words. J. S. R.]

l. 17. **societas**] sc. publicanorum. See n. to or. p. Planc. § 24 l. 5. **conlegium**] 'club,' 'guild;' see my Intr. to or. p. Planc. § 22. The genuineness of the words *aut concilium* is doubted by some.

l. 18. **consilium**, 'deliberative body, 'an assembly for consultation,' whereas *concilium* applies to any meeting or gathering of people, for whatever purpose assembled. On *aliquod* see n. to § 28 l. 22.

l. 19. **decrevisset**, 'had already passed the decree, when etc.'

l. 20. **duo consules**] 'the two consuls,' § 34 l. 32, or. p. leg. Man. § 62. or. in Vatin. § 18, de domo s. § 9, or. in Verr. act. I § 29. **edicunt-ut-redirent**] du Mesnil *legg.* I. p. 78

l. 22. **ipsius decretis**] = suis ipsius decretis, as in l. 30 *ad luctum ipsorum*. See Madv. ad Cic. de fin. III 12 § 40 p. 411 ed. 2: 'Cicero in infinita oratione ita demum *ipse* pro reflexivo ponit, si in ipso homine vel re notanda et ab aliis separanda momentum orationis est, velut pro Sest. § 32.' **quis tyrannus cet.**] Cf. or. in Pis. § 18 *quis hoc fecit ulla in Scythia tyrannus, ut eos, quos luctu afficeret, lugere non sineret?*

l. 23. **parumne est—quod**, 'is it not enough that you have so belied, are you not satisfied with having deceived, public expectation so greatly that etc.' Cf. above § 15 l. 2, Ter. Phorm. III 3, 13 (545) *parumne est, quod ómnibus nunc nóbis suscensét senex, ni instigemus étiam?* On *homines fefellisti* cf. § 21 l. 4. **ut omittam**] final parenthetical clause, § 29 l. 7, Kenn. Gr. p. 458, n. on de off. III. § 95.

l. 25. **auctoritatem**, 'expressed opinion,' the technical expression.

l. 26. **adfligeres**, 'degraded,' 'lowered,' § 17 l. 19, Brut. § 47 *rem augere posse laudando vituperandoque rursus adfligere.*

l. 27. **audeas**, 'must you presume,' 'are you to risk with impunity,' the conjunctive in a question of surprise or disapprobation, Madvig Gr. § 353, Roby Gr. § 1610, Kenn. Gr. p. 339: cf. § 30 l. 21, 78 l. 8. The use of the imperfect *mae-*

rerent after *audeas* is to be explained by a *constructio ad sensum*, the implied meaning being *edicere audeas* quod edixisti *me macerarent*; we have in fact the same sequence of tenses, as after an historical present, see above § 9. Halm ed. 5 suggests that *ederes* may be the true reading for *edicere audeas*; Müller inclines to *audebas*, the reading of two MSS.

l. 28. **ne hunc**] a rhetorical asyndeton for *neve*, § 30 l. 22.

l. 30. **luctum ipsorum**]=suum ipsorum luctum, see above l. 22.

ad deprecandum] n. on § 27 l. 9.

l. 31. **tam crudelis—qui prohiberet**] consecutive subj. with *qui*; Kenn. Gr. p. 456.

l. 32. **sibi maerere**] i.q. pro se maerere, suam calamitatem maerere, 'to mourn for themselves, on their own account.' Cf. Cic. ad Qu. fr. I 4, 1 *sibi pertimuit*, Plaut. Trinum. l. 918 *memini mihi*, Liv. XXI 33, 5 *sibi quoque timendum*.

ceteris supplicare] not 'supplicate others,' but 'intercede for, on behalf of, others'=pro ceteris supplicare; the dativo is probably used to balance *sibi*.

§ 33, l. 32. **quid?**] sc. *ais, censes?* 'how?' a form of transition in rhetorical passages, followed immediately by the emphatic word of the clause, Zumpt Gr. § 769 *obs.* 1.

P. 16, l. 1. **periculis**] § 2 l. 21.

l. 2. **pro te ipso, Piso, nemone mutabit**] an apostrophe to Piso in his absence, for he was at this time in his province Macedonia. By the use of the future *mutabit* Cic. intimates his expectation that Piso on his return may be liable to an action *de repetundis*. Cf. Ovid ep. ex Ponto IV 3, 29 *quid facis, a demens? cur, si fortuna recedit,* | *naufragio lacrimas eripis ipse tuo?*

l. 3. **nullo SCto**] abl. of attendant circumstances with adj. as predicate, Zumpt Gr. § 646, Madv. Gr. 277, Kenn. Gr. p. 405, Roby Gr. § 1242. The appointment of *legati* was in the gift of the pro-consuls and pro-praetors, but required the confirmation of the senate, Cic. charges Vatinius with constituting himself a *legatus* without such sanction, or. in Vatin. § 35 *ne hoc quidem senatui relinquebas, ut legati ex eius ordinis auctoritate legarentur?*

l. 4. **legisti**] I have adopted Mr Reid's reading for the vulgate *legati*. Madvig and others have suspected *legatos*.

ergo] introduces the argumentatio ex contrario. On the *parataxis* or co-ordination of contrasted clauses see n. to or. p. Plane. § 26 l. 5, § 41 l. 32, § 142 l. 20.

l. 5. **desperati**] qui ut recte agat aut sentiat, sperari non potest. MAN.

l. 6. **qui volent**] § 30 l. 22 *deliget quem volet.*

l. 8. **coniunctum cum**, 'inseparable from,' § 8 l. 17.

l. 9. **si appellandi sunt consules**] Kenn. Gr. § 220, viii 3) p. 475.

l. 10. **non modo ex memoria sed etiam ex fastis**, 'I do not say from the recollection of men, but even from the records.' On the use of *non modo—sed etiam* see n. to or. p. Plane. § 78 l. 19, § 81 l. 19. Cf. or. in Pis. § 30 *hoc consules non dicam animi hominum, sed fasti ulli ferre possunt?* or. de prov. cons. § 20 *an vero M. Ille Lepidus.....non solum mortuae testimonio, sed etiam annalium litteris et summi poetae voce laudatus est?* Mr Reid doubts whether certain examples can be produced of *quin* immediately followed by a negative.

l. 12. **productu**] The tribunes of the people had the privilege *alios in concionem producendi* and of putting questions to those whom they introduced and extorting confessions from them, a right which was used as a powerful means of agitation. See Intr. § 15 for the account given by Dion Cassius.

in circo Flaminio] the circus constructed in B.C. 220 by the censor Gaius Flaminius Nepos, who fell at the battle of the Trasimene lake, the same who constructed the great northern road, named after him *via Flaminia*. The *ludi Taurii* and *Apollinares* were frequently held here, and here also the people and senate sometimes met, when it was necessary to convene them outside the walls. It was situated in the district lying between the Southern part of the *Via Lata* or the modern Corso and the Tiber (not in the modern *Piazza Navona*). Burn *Rome and the Campagna* p. 318. Clodius chose it as the place of assembly in order that Caesar who had then the *imperium* might be present.

l. 13. **maximo cum gemitu vestro**, 'to your very great sorrow,' or. in Verr. II 1 c. 19 § 49 *hunc ipsum abstulit magno cum gemitu civitatis*, below § 46 l. 18.

l. 15 **agebantur**] there is a hiatus in the MS, to supply which there have been many conjectures:—*flebant* (Wesenberg), *parabantur* (Koch), *ferebantur* (Orelli), *agebantur* (Halm, Müller).

CHAPTER XV

§ 33, l. 17. **sedentibus**, 'sitting still,' with an implication of inactivity. Cf. Hor. Ep. I 17, 37 *sedit, qui timuit ne non succederet*, Vergil Georg. III 456 *meliora deos sedet omnia possens.* **inspectantibus**] Cic. or. in Pis. § 9 *his fundamentis positis consulatus tui triduo post inspectante et tacente te a fatali portento reip. lex Aelia et Fufia eversa est.*

l. 18. **lata lex est**] quattuor leges reip. perniciosas tulit P. Clodius in tribunatu; de annona, ut populo frumentum gratis daretur; alteram, ut collegia restituerentur; tertiam, ut infirma censorum potestas esset; quartam hanc, de qua hic Cicero loquitur; v. infr. c. 25, 26, or. in Pis. c. 5, Dion Cass. 38 c. 13. MAN. Introd. § 10.

ne auspicia cet.] the reference is to the *lex Aelia et Fufia*, of the time and authors of which we have no exact information, except that Cic. tells us that it was passed about 100 years before the consulship of Piso and Gabinius (A.U.C. 695 = B.C. 58). It is doubtful whether there was one law only or two, the one being supplementary to the other. One of the chief provisions of the *lex Aelia* was, that any of the superior magistrates should have the right on the days when the comitia were held to watch the heavens (*servare de caelo*), and, if they saw lightning, to report this (*obnuntiare*) to the presiding magistrate. The augurs had not this right of *spectio* (or. Philipp. II § 81) but only the magistratus, whose bare announcement to the presiding magistrate that they were engaged in watching the heavens, *se servaturos* (or *servasse*) *de caelo*, was enough to make the comitia impossible for the day. The object and effect of these laws was to prevent rash and hasty legislation, by empowering every magistrate to stay proceedings: hence Cic. speaks of them as *propugnacula murique tranquillitatis et otii* (or. in Pison. § 9), and asserts that (or. in Vat. § 18) frequently *tribunicios furores debilitarunt et represserunt.*

The clause *ne quis legi intercederet* does not point to any new provision in the *lex Aelia;* it is only a rhetorical amplification of the consequence of *obnuntiatio*, by which the higher magistratus had obtained a means of repression similar to that which the tribunes had in virtue of their *intercessio.* So that the two clauses together = *ne quis obnuntiando legi intercederet.*

The fourth clause *ut omnibus fastis diebus legem ferri liceret* refers to a provision of the *lex Fufia* (if indeed it differed from the *Aelia*) which provided that the comitia should not be held for legislation on all *dies fasti.* Clodius probably aimed at putting the legislative comitia on the same footing in this respect as the law courts. [Among the *dies fasti non comitiales* the most important were the *nundinae*, which were especially excluded because they were the days on which it was easiest to collect a mob. Hence chiefly the demagogues' anxiety on this point. J. S. B.]

l. 21. **rem p. esse deletam**] in the view of the optimate party. Cf. or. in Vat. § 28 *qui primum eam rem p., quae auspiciis inventis constituta est, iisdem auspiciis sublatis conarere evertere:* and § 18 quoted in n. to l. 18.

§ 34. l. 23. [**servorum dilectus**: it is worth noting that *servi* were never excluded from the *sacra* whether *publica* or *privata.* J. S. B.] **pro tribunali Aurelio**, 'in front of the Aurelian tribunal.' Cf. or. in Pis. § 11. The *gradus Aurelii* mentioned in or. p. Clu. § 98, or. p. Flacco § 66, are supposed to have been a flight of steps leading up to the raised dais of this Tribunal, which was in the Forum near the Temple of Castor. The whole structure is supposed to have been the work of M. Aurelius Cotta, cos. B.C. 74. [Is there not an allusion to the use of the phrase in the sense 'officially'? I do not think this reference is barred by the addition of *Aurelio.* J. S. B.]

l. 24. **nomine collegiorum**, 'as if his object were to form street-clubs.' The *collegia* which were restored by P. Clodius in B.C. 58, after they had been suppressed by the senate in B.C. 68, were the *compitalicia*, such as the inhabitants of the same *compitum* formed, connected with the worship of the *lares compitales.* It was found that the action of such organised bodies of men could be made very efficient for political purposes, and threatened disturbances of social order. To pave the way for their re-introduction, one of the tribunes in B.C. 61 endeavoured to celebrate the games connected with the festival (*ludi compitalicii*); but he was prevented by Q. Metellus Celer the consul elect. But three years afterwards Clodius succeeded in reviving them and three days subsequently carried his bill *de collegiis restituendis novisque instituendis.* Cicero was for some time under the delusion that he was a gainer by this enactment, on the ground that he and his friends might have their hired partisans as well as Clodius. See my Introd. to or. p. Plancio (Pitt Press Series) pp. XXXIV, XXXV.

vicatim, 'by streets,' 'from street to street.' Cf. or. p. dom. § 54 *cum in tribunali Aurelio conscribebas palam non modo liberos sed etiam servos ex omnibus vicis concitatos.*

l. 25. **decuriarentur**] lit. 'were divided into sections of ten men each,' 'were organised in military fashion;' see n. to or. p. Planc. § 45 l. 14, Mommsen de coll. et sodal. p. 57, de

trib. rom. p. 11. Cf. or. de dom. s. § 13 *cum desperatis ductibus* curiatos *ac descriptos haberes exercitus perditorum.* ad vim ad manus, ad caedem ad direptionem] to be taken in pairs after a fashion of which Cic. is fond. See above § 1 l. 15, Index Cic. de off. p. 423.

l. 26. isdem consulibus] Halm thinks that some participle must be supplied such as *tacentibus* or *quiescentibus* or *conventibus*, corresponding to the two participles *sedentibus* and *inspectantibus*, but perhaps Mr Reid is right in suggesting that it is a dative of the persons interested, 'for these same consuls.'

l. 27. in templum Castoris] The temple of Castor and Pollux was on the South-western side of the Forum Romanum between the Basilica Sempronia and the Temple of Vesta. It was first begun by the Dictator Aulus Postumius in B.C. 494 after the battle of the lake Regillus in the Latin War, and dedicated by his son in B.C. 484. It was restored (1) by L. Metellus Dalmaticus in B.C. 119, (2) by Drusus and Tiberius in A.D. 6. The Temple was often used for meetings of the Senate; and the flight of steps which led up to it afforded a convenient place for the delivery of harangues (*contiones*) to the crowds in the Forum. Bibulus, when he tried to oppose Caesar who was speaking here, was thrown down the steps by the mob and escaped with difficulty. On account of the height of its basement it commanded the Forum and was frequently occupied by the troops or bodies of insurgents during the Gracchan and Clodian riots. Clodius' mob tried to convert it into a fortress by pulling down the steps, when the voting upon the *leges Clodiae* took place. Cf. below § 85, or. in Pis. § 11 *arma in templo Castoris, e proditor templorum omnium, vidente te constituebantur ab eo latrone, cui templum illud fuit te consule arx civium perditorum, receptaculum veterum Catilinae militum, castellum forensis latrocinii, bustum legum omnium ac religionum*, Ib. § 23, de dom. s. § 54, p. red. in sen. § 32 *aditus templorum erant solum praecidiis et manu, verum etiam demolitione sublati*, Cass. XXXVIII 6. Burn *Rome and the Campagna* p. 100 Dion 102. See also note on § 79 l. 20.

l. 29. contiones] Verrius Flaccius ap. Aul. Gell. N. A. XIII 7, 5 contionem *autem tria significare* (1) *locum suggestumque unde verba fierent, item* (2) *coetum populi adsistentis*, (3) *orationem ipsam, quae ad populum diceretur.* lapidationes] or. in Pis. § 23 *cum...viri boni lapidibus e foro pellerentur.*

l. 30. nullus erat, 'was obliterated.' See Reid on Cic. de sen. § 74, de off. I § 35 l. 20 n. reliqui magistratus] not the gen. sing. but the nom. pl. with *nihil*=nihili 'of no use,' as predicate. Cf. div. in Caec. § 47 *ipse nihil est, nihil potest*, ep. ad fam. VII 27, 2 *in quo aliquid posse vis, te nihil esse cognoscere*, 33, 1 *nihil sumus*; cf. below § 114. *Reliqui* is in opposition to *senatus.*

l. 31. armis et latrociniis, 'by his armed body of marauders.' Cf. or. in Cat. I § 31 *si ex tanto latrocinio iste unus tolletur*, or. p. Rosc. Am. § 61, or. in Pis. § 26.

l. 32. non aliqua vi sua] cf. § 16 *nullis suis nervis.*

duo consules] n. to § 32 l. 20.

P. 17, l. 1. provinciarum foedere] see Intr. to or. p. Plancio p. IX and to the present Speech § 17.

l. 2. insultabat, 'behaved insolently;' Liv. II 45, 10 *quippe impune se insultaturos*, VI 23 *hostis, cuius animos cunctando auximus, iam minime toleranda superbia insultat:* the following clause *terrore ac metu multos tenebat* corresponds to and explains *insultabat, dominabatur.*

§ 35, l. 4. senatus duces nullos haberet] cf. § 42 *consules, qui duces publici consilii* (i.e. senatus) *esse deberent.*

l. 5. ac pro ducibus] On the adversative use of copulatives after a negative see n. to Cic. de off. I § 22 l. 32, § 32 l. 10, § 100 l. 15.

l. 6. reus citaretur] § 28 l. 23. Cf. or. in Mil. § 50 *tota denique rea citaretur Etruria.*

l. 7. Italiae—auctoritas] See on § 32 l. 25. alii nominatim relegarentur] he means L. Lamia. On the rhetorical plural cf. or. in Pis. § 23 *cum equites Romani relegarentur*, below § 78 *magistratus templo deicias*, § 54 *liberi ad necem quaerebantur.*

l. 9. non—sed] for non dico—sed. silentio dissimularentur] the consuls might have kept silence and so made it appear that they saw nothing to object to in these proceedings. They did more, they showed their approbation of them *et voce et sententia*, 'both in their speeches and by their votes.'

l. 11. excisam] Halm reads *excissam* from *excindo*, though most edd. have *excisam* from *excido*, cf. § 95 l. 6. Mr Reid's assertion (de senect. p. 94) that 'to raze a city' is *urbem excindere*, not *excidere*, must surely be as controvertible as his spelling of *exscissus*, viz. *excisus.* What is to be said to Virgil Aen. II 637 *abnegat* excisa *vitam producere Troia*, XII 762 excisurum *urbem minitans*, Hor. Od. III 3, 67 *ter pereat* (murus) *meis* | excisus *Argivis!* in all of which passages I find no *vv. ll.* In Cic. or. Phil. IV § 14 the MSS read *Karthaginem* exciderunt; on the other hand in de off. I 76 *in* exscindenda *Numantia.*

l. 12. captam atque oppressam] below § 52 l. 5, § 112 l. 5, cp. ad Att. IV 6, 2 *si taceo, existimor oppressus et captus*, Liv. II 23, 2 *fremebant se foris.....dimicantis domi civibus captos et oppressos esse*, de imp. Cn. Pomp. § 33 *sensis a praedonibus capta atque oppressa est.*

l. 13. tamen his tantis malis] a repetition of *quae cum tanta eius modi* l. 4, due to the length of the sentence.

tanto bonorum studio] ablative of attendant circumstances with adjective as predicate, Roby Gr. II 1242, Kenn. Gr. p. 405, 411, above § 12 l. 3, § 33 l. 2.

l. 14. restitissemus, sed me moverunt] i.q. nisi me moverunt. Cf. Liv. III 25 *et forsitan ad ultimum impedissent: sed novus subito additus terror est.* So ἀλλὰ is used for *εἰ* Hom. Il. V 22 *οὐδὲ γὰρ οὐδὲ κεν αὐτὸς ὑπεκφυγε κῆρα μέλαιναν, Ἕκτορος ἐρυτο*, Od. IX 79 *καὶ νύ κεν ἀσκηθὴς ἱκόμην εἰς πατρίδα γαῖαν, ἀλλά με κῦμ' ἀπέωσε.*

illi motus...aliae curae] see § 39 *sed me illa moverunt etc.*

§§ 36—52. Digressio

Cicero here enters into a long explanation of his motives for going the field to his enemies, and a justification of himself from the charge of cowardice.

He had with him, he says, not only all the best but much the greatest part of the city, determined to run all hazards and risk their lives for his safety, and was more than a match for them in strength of Clodius and the two consuls; and so far he was in a better position than Q. Caecilius Metellus when he voluntarily withdrew from the city rather than risk disturbances (§§ 37—39).

But it was the attitude of the triumvirate which alarmed him. The boast of Clodius that he had their authority for all he did was not contradicted by any of them, and their silence was virtually a confession of the truth of his assertions; and that was, they feared the reversal of their acts of the preceding year if they failed to secure the friendship of the powerful tribune (§§ 39—40).

The conduct of Pompeius was most discouraging to him, who, notwithstanding his professions of friendship and solemn assurances only the year before, had now retired to his Alban villa on a pretended fright at the warnings which the partisans of Clodius had whispered into his ear, that his life was threatened by the machinations of Cicero and his friends; Caesar was at a distance of the city with an army, in which the brother of Clodius held a command (§ 41).

What was Cicero to do in such circumstances? If he resolved on extreme measures and opposed force to force, and one enemy Clodius, like a second Catiline, whose scattered forces he had reunited, was got rid of, there were many more behind to be conquered and to avenge that enemy's death, so that neither his victory nor his fall would have restored the peace of the state (§§ 42—44). *He yielded therefore to the necessity of the times and determined to give way before his various enemies rather than endanger the existence of the state by staying* (§§ 45—47). *Not that he was afraid of death, which indeed would have been to him rather a boon, but his life was of some consequence to the state, and to sacrifice it wantonly would have been a dereliction of duty to his country; for he could not fail to be recalled, if he retired for a time, whereas his extinction would have been as great a triumph to the enemies of order, as his restoration was to the enemies of disorder, while it was an earnest of future security, peace and glory to the commonwealth* (§§ 48—52).

CHAPTER XVI

§ 36, l. 16. exponam] here follows a long digression from c. 16 to c. 23.

l. 17. facti et consilii] = et consilii quod in eo secutus sum, only an apparent hysteron proteron. Cf. div. in Caec. § 6 *quis tandem esset, qui meum factum aut consilium posset reprehendere?* **neque deero]** 'nor shall I fail to respond.'

l. 18. tanto studio] § 35 l. 13 n. **nec vero,** 'and certainly not,' i.e. 'much less.' Cf. Tusc. V § 93 *secundum genus cupiditatum nec ad potiundum difficile esse censet nec vero ad curendum.*

l. 22. tam parato] sc. *ad agendum*, so ready for anything that my critical position required. Cf. Planc. ep. ad fam. X 8, 6 *habeo provinciam paratissimam et summa contentione ad officia certantem*, or Phil. V § 43 *studio paratiore.*

l. 23. despicatissimi] a stronger word than *contemptus*, to which it bears the same relation as 'despised' to 'despicable.' The two are found together or. in Verr. III § 98 also *ne contemptissimi ac despicatissimi esse videamur.*

l. 25. nullius animi—fuisse] Kenn. Gr. p. 415 § 168 III A 4. Translate: 'that I was spiritless, helpless.'

§ 37, l. 27. in Q. Metello] sc. Numidico. Cicero frequently parallels the circumstances attending his own *discessus* with Metellus' voluntary retirement, in order to avoid causing dis-

turbances at Rome. See below § 101, or. p. Planc. § 89 l. 17, in Pis. § 20, or. p. Balbo § 11, ep. ad fam. I 9 § 16. When, as tribune in B.C. 100, Lucius Appuleius Saturninus, the most notable leader of the popular party, carried his law for the division of the lands in Gaul lately occupied by the Cimbri (*lex Appuleia agraria*), there was a clause in it that within five days after its passing every senator should on pain of forfeiting his senatorial seat take an oath to faithfully observe it. Metellus alone, at whom the clause was specially aimed, refused compliance, preferring to go into voluntary exile. He was restored however in B.C. 99 on the motion of the tribune Q. Calidius. Cf. or. p. Planc. § 89. [The penal clause was to supply the lack of previous consent on the part of the Senate: the *lex Bantia* seems to show that Appuleius had precedents for his action. J. S. R.]

l. 28. proprie, 'individually,')(*publice* 'authoritatively,' 'in the name of the state;' § 38 l. 11, § 89 l. 18.

l. 30. quandam] serves to modify the statement that in his conduct he was influenced by selfish motives rather than pure patriotism. Cf. § 82 l. 8. perspicuam] 'manifest.'

l. 31. salutem] because the refusal of Metellus alone could not be of any benefit to the state. respexerat] See cr. n. in legem iurare] i.e. as explained by Appian b. civ. I 29 *ἐπομόσαι πεισθήσεσθαι τῷ νόμῳ, iurare se legi pariturum.* [The resolution of the *comitia tributa* was of course legally binding upon the Senate, whether it gave its consent beforehand or not, though it was usual to ask the consent. But this law was *per vim lata* and the Senate would, Saturninus thought, cancel it unless forced to swear. J. S. R.]

l. 32. per vim latam] § 61 *leges quas iniuste rogatas putarat*, § 101 *legem quam non iure rogatam iudicarat.*

ea condicione, 'at such a price,' 'on such terms,' as well as in the sure expectation that. fuisse, 'to have shown himself.'

P. 18, l. 1. patriae caritate] for he turned his back on his country as a voluntary exile. Cf. § 53 l. 20, de off. III § 100 l. 14, or. p. Planc. § 69 l. 18 n.

l. 3. invicto, 'invincible,' see above l. 23, n. to or. p. Planc. § 12 l. 1.

l. 4. sextum iam illum consulatum, 'who was at that time serving his sixth consulship.' Cf. Caesar b. G. V 25 *tertium iam hunc annum regnantem inimici eum interfecerunt.*

l. 7. si non moderate, at certe populariter, 'if not without violence, yet at least in the interest of the people.' See n. to

§ 14 l. 7, or. p. Planc. § 29 l. 12. abstinenter] quod non lucrum captarat aut aliorum bona invaserat, ut Clodius. RUFINUS.

l. 9. victor, 'if conqueror,' § 28 l. 22.

§ 38, l. 12. proprie] § 37 l. 28.

l. 13. dux] we must understand *in quibus gerendis* from *quarum.*

l. 17. praestare, 'to guarantee,' 'to take the responsibility of.' Cf. below § 48 l. 5, § 61 l. 29 *cuius invidiam capitis periculo sibi praestandam videbat*, de or. I § 11 3 *istam culpam, quam vereris, ego praestabo*, where see Prof. Wilkins' note, ep. ad Qu. fr. I, e. 4 § 12 *horum non modo facta, sed etiam dicta omnia, praestanda nobis sunt*, or. in Cat. IV § 24 *habetis eum consulem qui ..ea quae statueritis...defendere et per se ipsum praestare possit.* See Madvig Opusc. I p. 151.

CHAPTER XVII

l. 19. operis] *operae*=operarii in the sense of 'hirelings,' 'hired abettors,' is not infrequent in Cic., or. Phil. I § 12 *ut dicere auderet se publicis operis disturbaturum...domum*, ib. § 22 *ut ipse ad operas mercennarias statim protrahatur*, ep. ad Att. IV 3, 3 *facile operas aditu prohibuerunt*, above § 18 l. 1, § 28 l. 30, Hor. Sat. II 7, 118 *accedes opera agro nona Sabino.*

l. 21. terrorem, 'object of fear,' more frequently used in the plural in this sense as in Cic. de rep. I § 71 *duobus huius urbis terroribus depulsis*, Vell. Paterc. II 4, 5 *terrores reip.* (Carthago et Numantia). Cf. Justin III 1, 1 *Xerxes, terror antea gentium.*

l. 22. duo importuna prodigia, quos] Cf. Cic. ep. ad fam. 9, 15 *primum illa furia muliebrium legionum, qui non plures fecerat Bonam Deam quam tres sorores, impunitatem est illorum sententiis adsecutus*, [or. Verr. II § 79 *monstrum aut prodigium qui*, Liv. X 1, 3 *capita coniurationis caesi*, Hor. Od. I 37, 21 *fatale monstrum quae* (Cleopatra). So in Greek *βρίφος, μειράκιον* and the like are often followed by masculine attributes. Nor does German consistently treat *Mädchen, Weib* and the like as neuters. J. S. R.]

egestas oct.] the first three clauses refer especially to Gabinius.

l. 24. addixerat]i.q. in servitutem tradiderat, 'had made unwilling slaves.' *Addico* was the technical word used when

the praetor 'made over' or awarded any property to a claimant. Hence *addictus* was said of a debtor who had been given up as servant or bondman to his creditor. Cf. Hor. Ep. I 1, 14 *nullius addictus iurare in verba magistri*, Cic. Tusc. II 2, 5 *certis quibusdam...sententiis quasi addicti...sunt eaque necessitate coacti ut etiam, quae non probare soleant, ea cogantur constantiae causa defendere.*

§ 39, l. 25. quaestore Ostiensi, 'when he held the *provincia Ostiensis* as quaestor.' The important colony of Ostia at the mouth of the Tiber, founded by Ancus Marcius, was made the station of a Roman fleet in B.C. 217 and was granted peculiar exemptions on account of its importance to Rome, which it furnished with its principal supplies of corn. It gave its name to one of the four *provinciae quaestoriae* into which Italy was divided. The other three were Calena or Callium (*provincia tacita et quieta* or. p. Mur. § 13, Tac. Ann. IV. 27); Gallica (cf. Plutarch Sert. 4, Sueton. Claud. 24); aquaria or Baiana (or. in Vatin. § 12). The provincia Ostiensis was naturally as Cic. tells us or. p. Mur. § 18 *negotiosa et molesta* and therefore unpopular (*cui, cum quaestores sortiuntur, etiam adclamari solet*).

l. 26. per ignominiam] i.q. ignominiose: cf. *per imprudentiam* or. p. Planc. § 31 l. 9, *per ridiculum* de off. I § 134 l. 6 where also see my note. principem—senatus] the senator whose name was placed first upon the roll of the Censors bore this title, which was regarded as in the highest degree honourable, but conferred no power or privilege.

l. 27. M. Scaurum] Marcus Aemilius Scaurus, the son of highly aristocratic but not wealthy parents, raised himself to the consulship in B.C. 115 and censorship in B.C. 109. He was long the chief of the Senate and the political oracle of his order, and immortalized his name not only as an orator and author, but also as the originator of some of the principal public buildings and works, such as the *via Aemilia*, executed in this century. In B.C. 112 he headed an embassy to Jugurtha and afterwards took the post of a commander in the African army sent against him under the consul Lucius Calpurnius Bestia. The Numidian king obtained favourable terms of peace by bribing the consul and his legatus, at which the general indignation was so great that an extraordinary jury-commission was appointed to investigate the high treason, of which Scaurus himself, though a party in the guilty transaction, was chosen one of the presidents. There are many laudatory notices of him in Cicero's works. When Lucius Appuleius Saturninus was quaestor at Ostia, the charge of the importation of corn which had fallen to him in the usual

way had been withdrawn from him by decree of the senate, not so much perhaps on account of maladministration, as in order to confer the office upon Scaurus, as one of the heads of the government party, rather than upon an unknown young man belonging to none of the ruling families. Mortification at this drove the aspiring man into the ranks of the opposition, and as tribune of the people in B.C. 103 he repaid what he had received with interest. See Cic. de harusp. resp. § 43 *Saturninum, quod in annonae caritate quaestorem a sua frumentaria procuratione senatus amovit eique rei M. Scaurum praefecit, scimus dolore factum esse popularem.* Mommsen *Hist. of Rome* Bk IV cc. 5, 6, Vol. III p. 144 ff. See J. S. B. in Add. p. 277.

l. 28. sciebat] in reference to *per ignominiam*. He knew that his office was taken from him for no other reason than to mortify him. dolorem suum...persequebatur] 'was carried away by his indignation,' or 'sought revenge for his vexation.'

l. 29. scurrarum, not 'buffoons' but 'gallants,' 'rakes,' 'elegant debauchees,' as in de har. resp. § 42 *qui post patris mortem primam illam aetatulam suam ad* scurrarum *locupletium libidines detulit, quorum intemperantia expleta in domesticis est germanitatis stupris volutatus;* auct. ad Herenn. IV § 14 *ubi istum vidit* scurram *exhausto rubore, qui se putaret nihil habere, quod de existimatione perderet, ut omnia sine famae detrimento facere posset.* [Plaut. Trin. l. 202 *urbani adsidui cives quos* scurras *vocant.* J. S. B.]

l. 30. sororis] the wife of Q. Metellus Celer [or rather of Lucullus, as evidence had been given concerning her in a court of justice. J. S. B.] stuprorum sacerdote, instead of *sacerdote Bonae Deae* (ep. ad Att. II 4, 2). Below § 66 l. 2 and again or. in Pis. § 89 he calls him the *popularis sacerdos.*

l. 31. veneficio] qui Q. Seium Postumum veneno sustulit, ut eius domum ab heredibus sibi compararet; or. de domo s. § 115 [de har. resp. § 30]. ABRAMI. testamentario] i.q. testamentorum subiectore, 'forger of wills,' as in de off. III § 73 l. 6. Cf. or. de har. resp. § 42 *inde cum Murena se in Galliam contulit, in qua provincia mortuorum testamenta conscripsit, pupillos necavit, nefarias cum multis scelerum pactiones societatesque conflavit: unde ut rediit, quaestum illum maxime fecundum uberemque campestrem totum ad se ita redegit, ut homo popularis fraudaret improbissime populum, idemque vir clemens divisores omnium tribuum domi ipse suae crudelissima morte mactaret.*

l. 32. facile factu] the same pleonasm of the supine occurs in de off. I § 71 l. 26, de nat. deor. III § 1 *difficile factu.*

P. 19, l. 1. optimi cives] such as L. Lucullus: see Plutarch Luc. c. 31.

H.

l. 2. **non verebar,** 'there was no need for me to be afraid.'

l. 6. **illa furia] § 34 l. 13** *ab illa furia ac peste patriae.*

l. 8. **et nunc et** (sc. antea) **quoad licuit]** h. e. et post restitutionem et illo tempore, *quoad licuit* vel per Caesarem socerum vel per *fictos terrores*, quibus Vatinius et eius index Vettius eius mentem a Cicerone averterant; cf. §§ 41, 67, 133. ORELLI. Cf. or. p. Planc. § 85 l. 29.

l. 9. **omnes necessitudines,** 'all possible friendly relations:' cf. or. p. Ligar. § 21 *haec novi ego propter omnes necessitudines, quae mihi sunt cum L. Tuberone*, or. p. Quinct. § 48 *quicum...omnes denique causae et necessitudines veteres intercedebant*, ep. ad fam. XIII 12, 1 *quocum mihi omnes necessitudines sunt.* So above § 28 l. 27 *omne supplicium*, below § 53 *omnibus malis*, § 55 *omnium remediorum*, Caesar b. G. V 6 *omnibus precibus petere*, or. p. Planc. § 26 l. 9.

l. 10. **illa peste] § 34 l. 13.**

l. 11. **C. Caesar cet.]** Haec omnia latentes querellae sunt de Pompeio, Crasso et Caesare, quos non ambigitur partim manifestius, partim vero occultius id egisse, ut urbe Tullius eiceretur. Sed (εὐλαβῶς) quoniam viri potentes sunt, non audet exertius queri; sed ipsum Clodium alia de illis iactitasse confingit, ut, quod ex sua persona haberet offensam, sub aliena moderatius delitescat. SCHOL. **[qui a me nullo meo merito alienus esse debebat,** 'who was not forced to be my enemy by any demerit of mine.' J. S. R.]: cf. or. de prov. § 43 *accepi iniuriam, inimicus esse debui. Alienus* is a much weaker expression than *inimicissimus*. The chief reason for their estrangement, which Cic. here intimates might have been helped, was the support which Caesar gave to Clodius' adoption into a plebeian house. See Sueton. Jul. c. 20. On the abl. *nullo meo merito*, 'no action of mine which would have made such punishment of me deserved,' cf. § 133 l. 22 and see n. to § 35 l. 13.

§ 40. l. 14. **in consiliis capiendis,** i.e. de pernicie mea; **in re gerenda,** i.e. in me eiciendo. We must understand in the former clause *uti* from the *usurum esse* of the second.

l. 16. **exercitum in Italia]** Caesar remained with his army in the neighbourhood of Rome, until Clodius had carried his bill about Cicero and Cato.

l. 17. **privati**)(**armati or cum imperio,** as appears from the old formula from the *censoriae tabulae* in Varro de l. l. VI § 86: *omnes Quirites, pedites, armatos privatosque... voca inlicium huc ad me.*

praeesse, absolutely 'to have a command,' as *praefecere* (§ 41 l. 17) 'to give a command;' or **exercitui** is to be understood from *exercitum* which follows: cf. § 95 *qui diem dixit* (Miloni) *et accusavit de vi Milonem. Praeesse* is emphasized because as *privati* they could not be *duces exercitus*, except in some unconstitutional manner. **et parare]** Crassus by his great wealth, Pompeius by his personal influence, as he had already when a young man by his connexions in Picenum raised an army of three legions for Sulla.

l. 18. **idque facturos,** 'and would do so,' i.e. **exercitum paraturos.** On this vicarious use of *facere* see n. to Cic. de off. I § 4 l. 18.

l. 19. **legitimam — contentionem]** in opp. to *iudicium populi*, 'a law-suit' based on some law, in the court of a magistrate, therefore a legal proceeding such as were usual in the *quaestiones perpetuae* or 'standing commissions.' In both of these *iudicia* there would be discussions about right (*disceptatio*) with pleas and counter-pleas, and the *causae dictio*, the free defence against any charges (*crimina*) that were laid. See Addenda.

l. 20. **disceptationem]** see my n. to or. p. Planc. § 87 l. 30, de off. I § 34 l. 6, § 64 l. 10, or. p. Cluent. § 90 *quid? illa tandem quaestio aut disceptatio aut iudicium fuit?* See J. S. R. p. 277.

l. 21. **vim arma exercitus imperatores castra]** duo prima verba ad ipsum Clodium, tria postrema ad Caesarem [Pompeium Crassumque] refero. MANUTIUS. Cf. or. p. Mil. § 74 *non iustis vindiciis ac sacramentis alienos fundos sed castris, exercitu, signis inferendis petebat.*

CHAPTER XVIII

l. 23. **quid ergo?]** see n. on *quid tum* § 47 l. 27. **vana praesertim]** 'especially since it was false,' de off. I § 150 l. 18.

l. 24. **conlecta]** cf. or. p. Mur. § 78 *haec crimina in tuam nimiam diligentiam conlecta sunt.*

l. 25. **me vero]** Hoc dicit Cicero: 'movit me taciturnitas, quae suspectior esse debebat ob hoc ipsum, quod, ut vos dicitis, improba erat oratio, cuius a se maculam reicere debuerant.' MADVIG. **taciturnitas]** 'persistent silence.'

l. 26. **conferebatur,** 'was ascribed.' See n. on or. p. Planc. § 35 l. 29, l. 4.

l. 28. **tacendo loqui,** 'to be eloquent without words.' For this intentional contrast of words, which when strictly used

contradict each other, cf. or. in Cat. I 8, 21 *de te autem, Catilina, cum quiescunt, probant; cum patiuntur, decernunt; cum tacent, clamant;* div. in Caec. § 21 *cur nolint, etiam si taceant, satis dicunt,* p. Sull. § 82 *quorum tacita gravitas...de uno quoque loquitur;* and for the use of the gerund § 1 l. 1.

l. 29. aliquo] Cic. lays stress purposely on this word, to show that their fear was of no great importance. Cf. § 67 l. 9 *suspicione aliqua.*

l. 30. acta, explained sufficiently by the following *omnis res,* implies all that Caesar had carried through in his consulship, especially the *leges,* as well those which he had himself carried, as those which he had stamped with his approval. The Scholiast remarks: 'de actis loquitur, quae habuit in consulatu Gaius Caesar inauspicato, ut videbatur: qua de re adversus eum egerant in senatu C. Memmius et L. Domitius praetores, et ipsius Caesaris orationes contra hos exstant, quibus et sua acta defendit et illos insectatur.' Cf. or. in Pis. c. 32, de prov. cons. c. 18, de dom. s. c. 15.

l. 31. a praetoribus] v. Suet. Iul. c. 23 *functus consulatu, C. Memmio Lucioque Domitio praetoribus de superioris anni actis referentibus, cognitionem senatui detulit: nec illo suscipiente triduoque per irritas altercationes absumpto in provinciam abiit; et statim quaestor eius in praeiudicium aliquot criminibus arreptus est.* Cf. eundem in Ner. c. 2. MANUZIO. infirmari is a softened expression for *rescindi.*

l. 32. principibus civitatis] he means Caesar's enemies, M. Bibulus, M. Cato, L. Domitius; also other members of the optimate party, as L. Cotta, P. Servilius Isauricus, Q. Hortensius. tribunum popularem] who might through his influence with the people prove dangerous to them, if out of vexation he joined the opposite side.

P. 20, l. 1. propiora pericula] according to the proverb *tunica propior pallio est.* Cf. ἔγγιον γόνυ κνήμης Athenaeus IX p. 383 c, ἀνωτέρω ἢ γόνυ κνήμα Theocr. Idyll. XVI 18.

§ 41, l. 3. a consulibus] the abl. of the agent instead of the usual dative after the gerundive, in order to bring the activity of the subject into greater prominence (*Halm*), cf. Draeger Histor. Synt. 1 § 189 p. 468; or perhaps to avoid ambiguity, as *consulibus* might be taken for the dative after *dicebat,* see Roby Gr. § 1146, 1147, Kenn. Gr. § 141 7, p. 390, Madvig Gr. § 250 b. Cf. or. de imp. Cn. Pomp. § 34, or. p. Sull. § 23, or. p. Rabir. perd. reo § 4.

l. 5. publice susceptae = si a consulibus suscepta esset. Mayor on Plin. III 9 § 4 l. 15. defuturum] n. to § 86 l. 20, § 80 l. 5, § 101 l. 28.

l. 6. rei p. conservandae] § 49 l. 8.

l. 7. domi meae.. positi, 'placed in my house for that purpose,' i.e. as spies, or. p. domo sua § 55; also he complains of his enemies having filled his house with their friends, *certi homines,* not merely *quidam,* but those who were as well known to his hearers as to the speaker himself, above all Vatinius § 133 l. 26. Cf. or. in Pis. § 76, or. in Verr. IV § 108, or. p. Flacco § 104. It is better to take *domi meae* with *esset cautior.*

l. 8. ut esset cautior, 'that he should be more on his guard,' keep at a greater distance from Cicero's house.

l. 9. apud me domi] so Liv. III 33, 10 *defosso cadavere domi apud Sestium,* Ter. Eun. I 2, 125 *venturum ad me constituit domum,* Hec. V 3, 24 *ad me confugere domum.* atque] 'and so.'

l. 10. litteris mittendis, 'by sending letters.'

l. 11. coram ipsi] especially Vatinius; see below § 133, and on the whole subject or. in Pis. § 46. For the pleonasm of the expression cf. Plaut. Pseud. v. 1142 *quia tu ipsus coram praesens praesentem videt.*

l. 12. meo nomine, 'on my account.' Cf. § 146 l. 28.

l. 14. ignari veritatis] i. q. *ignari rerum* § 15 l. 26, § 47 l. 4, 'not acquainted with the true state of things.'

l. 15. erat ad portas] Caesar did not go to the seat of war until Cicero left Rome, above § 40 l. 16, Plut. vit. Caes. c. 14.

l. 17. fratrem] Gaius Claudius Pulcher, the second brother of Publius; see Dict. of Biogr. I p. 771 a. praefecerat] 'had given him a command,' see n. on § 40 l. 17, and cf. Liv. 37, 41, 1 *rex Antipatrum in laevo cornu praeposuit.*

CHAPTER XIX

§ 42, l. 19. stare = consistere, Gr. ἑστάναι; see n. to or. p. Planc. § 71 l. 25, and cf. below § 64 l. 7, § 97 l. 1, or. in Verr. II 1, 7, 20 *ut pop. Rom. iudicaret isto absoluto remp. stare non posse.*

l. 20. de civitate] not *de re publica* (as in § 30 l. 27, § 55 l. 26), inasmuch as the senate constituted a special *ordo* among the *cives;* so in § 44 l. 20 *quem totum de civitate delerant.*

l. 21. **publici consilii**] i.e. *senatus*, 'the Council of State,' not 'the policy of the state' (de orat. I § 211). Cf. or. p. Rosc. Am. § 151 *di prohibeant, ut hoc, quod maiores consilium publicum vocari voluerunt, praesidium sectorum existimetur*, ib. § 153, or. Phil. IV § 14 *senatum, id est orbis terrae consilium, delere gestit, ipse* (Antonius) *consilium publicum nullum habet*, Liv. XXIII 2, 4, 22, 2, XXIV 22, 6 *senatus inde haberi coeptus est, quod sicut regnante Hierone manserat publicum consilium, ita post mortem eius ante eam diem nulla de re neque convocati neque consulti fuerant*, II 23, 11 *moderatores publici consilii circumsistunt*, III 63, 10; VI 6, 15 *praesidem huius publici consilii*, or. p. Rabir. perd. reo § 4 *agitur nihil aliud in hac causa, nisi, ut nullum sit posthac in re publica publicum consilium*, where however Mr Heitland understands it to mean 'a common' or 'state policy' in opp. to the selfish aims of unscrupulous demagogues.

l. 23. **opponi omnibus contionibus**, 'were paraded before all public assemblies—falsely, it is true, but nevertheless so as to inspire alarm—as those who sanctioned my destruction.' On the meaning of *oppono* cf. § 52 *nec armati exercitus terrorem opponet togatis*. **falso sed formidoloso tamen**] we should expect *falso illos quidem* or *falso quidem*; but cf. Ovid Fast. II 203 *porta vacat culpa; sed tamen omen habet*, or. in Pis. § 27 *collegit ipse se vix, sed collegit tamen*. We sometimes find *omnino* or *scilicet* in lieu of *quidem*, § 74 l. 8, § 84 l. 8.

l. 24. **ad perniciem**] 'with a view to my ruin.' Cf. § 12 *aditor ad excitandum Antonium*, § 116 *sedem ad salutem*.

l. 25. **vocem mittere**, 'to utter a syllable:' cf. Liv. XXX 12 *si captivae apud dominum vocem supplicem mittere licet*.

l. 26. **intenta ... cervicibus ... vestris**, 'were aimed at, threatened, your necks:' or. p. Mil. § 86 *actionem perduellionis intenderat* (which Purton wrongly translates 'had laid an impeachment for high treason'), de orat. I § 42 *singulae familiae litem tibi intenderent*, or. p. Rosc. Am. § 7 *periculum quod in omnis intenditur*.

l. 28. **coniuratorum copias veteres**] Cic. regarded Clodius as a second Catiline or as *ultor Catilinae*, who had reunited the arch conspirator's broken forces: cf. or. in Pis. § 11 *cui* (Clodio) *templum Castoris fuit arx civium perditorum, receptaculum veterum Catilinae militum*, ib. § 16 *quod maius iudicium exspectatis, nihil inter vos et Catilinam interfuisse, quam quod eandem illam manum ex intermortuis Catilinae reliquiis concitastis?* **effusam ac superatam**, 'scattered and vanquished.' Orelli, Dobree, Wesenberg, Eberhard, objecting unreasonably to the combination of these participles, would read *fusam ac dissipatam*; but cf. de leg. agr II § 89 *effusis ac dissupatis fructibus vestris*, [or. p. Deiot. § 11 *perturbatus est, ut audivit omnis consularis, cunctum senatum, totam Italiam esse effusam*. *J. S. B.*]

l. 30. **commutatione r.**, 'change in the position of affairs.'

l. 31. **quid agerem**, 'what was I to do?' Madv. Gr. § 353, Zumpt Gr. § 530, Kenn. Gr. p. 339 II B.

l. 32. **meum prope vestro defuisse**] quod iis pro ipsius salute contra Clodium pugnare cupientibus non permisit; v. ep. ad fam. I 9. MAN. Cf. above § 36 l. 30, or. p. Planc. § 86 *dixisti non auxilium mihi sed me auxilio defuisse*, § 89 *hisce ego auxiliis salutis meae si idcirco defui, quia nolui dimicare, fatebor, id quod vis, non mihi auxilium sed me auxilio defuisse etc.* See *J. S. B.* in Addenda p. 277.

P. 21, § 43, l. 2. **privatus armis**] § 40 l. 17, or. p. Planc. § 88 l. 8 *arma quae privatus P. Scipio ceperat*. **vicissent—interfectus esset**] for *si vicissent—, si interfectus esset;* for the suppression of *si* in conjunctive protasis cf. Hor. Sat. I 3, 15 *decies centena dedisses huic parco,...quinque diebus nil erat in loculis*, Cic. de off. III § 75 l. 10, Kenn. Gr. p. 473, Roby Gr. II § 1552, Zumpt Gr. § 760. The apodosis is contained in *quid deinde? etc.* [I doubt whether *si* is omitted; Cic. means 'In that case the well-affected would have overcome the disaffected;' the following words *interfectus—depelli* seem to fall in with this interpretation better than with the other. *J. S. B.*] **fortes inertis**] Liv. XXII 60, 17 *ni strictis gladiis fortissimi inertes summovissent*, Cic. in Cat. II § 10 *hoc qui ferre possit, inertes homines fortissimis viris insidiari?* Hor. ep I 5, 17 *ebrietas ad proelia trudit inertem*. *Iners* combines the notion of cowardly remissness with that of stolid indifference.

l. 3. **hac una medicina sola**] cf. below § 130 *unus est solus inventus, qui etc.*, or. in Pis. § 96 *cives Rom., qui in eis locis negotiantur, te unum solum...hostem venisse senserunt. Unus* does not exclude others but gives prominence to one in particular, whereas *solus* excludes all others.

l. 4. **a rei publicae peste depelli**] i.e. a peste rei p. inferenda, 'from bringing ruin on the state.' Cf. de or. I § 8 *fluctibus qui per nos a communi peste depulsi in nosmet ipsos redundarent*. **quid deinde**, sc. *factum esset*.

l. 5. **praestaret**] see n. on § 38 l. 16.

l. 6. **sanguis tribunicius**] cum tribunus plebis esset sacrosanctus. ABRAMI.

l. 8. **quidam**] according to the Scholiast Piso or Gabinius. But Cic. would probably have mentioned them by name, if it had been either of them or Clodius.

l. 9. **quid erat bis vincere**] cf. or. p. Planc. § 88 l. 2.

l. 11. **si decertassem**] 'if I should succeed in bringing the struggle to an end.' **ceteris ultoribus**] Caesar, Pompeius and Crassus are meant.

§ 44, l. 12. **vel si pereundum fuisset**, 'even if I had foreseen that I should be annihilated.' Cic. is here speaking not of physical but of political extinction. This did not come about, but he received only a *plaga sanabilis*, because his exile was followed by *restitutio*, which in return brought defeat upon Clodius and his party.

l. 13. **ac non**, 'and not rather.' See n. to or. p. Planc. § 61 l. 11, § 70 l. 7, § 71 l. 12.

l. 15. **illa altera**] sc. cum consulibus. MANUZIO.

l. 16. **ut possemus**] epexegetic of *eius modi*. **victi**= *si victi essemus*, because the state would have fallen into the hands of a few; **victores**, because it would have been brought to the verge of ruin. **rem publicam tenere**] de or. I § 38 *quod nisi fecisset, rempublicam, quam nunc vix tenemus, iam diu nullam haberemus.*

l. 17. **quid...si concidissem**] for *quid factum esset, si concidissem?* For *concido* see n. on § 25 l. 7. **prima** for *priore*.

l. 19. **credo**] ironically. **de civitate delerant**] see n. on § 17 and § 42 l. 20.

l. 20. **ad arma vocassent**] Halm ed. 4 has *vocarent* and calls attention to the change of tense from the pluperfect to the imperfect conjunctive which he considers to be a *coniunctivus dubitativus* of the past, 'they would have called,' 'were they to call.' In the fifth edition he gets rid of *vocarent* altogether and substitutes *concitassent*. See cr. n. [Changes from pluperfect to imperfect are not so very uncommon, cf. or. p. Sull. § 36. A remarkable passage is Propert. I 17, 19—23 *sepelissent—staret...donasset—poneret...clamasset*. Cf. § 47 l. 24 *victi essent—superessent*. J. S. B.] **ne vestitu quidem**] § 32.

l. 21. **sissent**] i.q. *sivissent*, § 122 *exsulare sinitis, sistis pelli*.

l. 22. **eandem horam**] see n. to § 53 l. 25. **praemiorum**] § 34.

CHAPTER XX

§ 45, l. 24. **enim**] must mean 'certainly,' 'no doubt,' unless it be a dittography of *unum*. Halm in his earlier editions altered it into *etiam*, but reverts to the MSS reading in ed. 5; Keil reads *tamen*.

l. 26. **dixerit**] potential: Kenn. Gr. § 94 1 (D).

restitisses]=resistere debuisti, 'you should have made resistance,' jussive past as in § 54 *commoverentur*, see n. to p. Planc. § 72 l. 6, Madv. ad Cic. de fin. § 36 p. 208, Zumpt Gr. § 529 n., Madv. Gr. § 351 c, obs. 4. Cf. Ov. Trist. IV 3, 34 *tristis es: indignor quod sim tibi causa doloris; non es, at amisso coniuge digna fores* i.e. digna esse debebas, Verr. III § 195 *quid facere debuisti?...quod superaret pecuniae, retulisses*, ib. II § 57 *quid debuit praetor facere? non in eum, qui accepisset, animadvertisset*. Mr Reid has a note upon or. p. Sulla § 25 in which he points out that subjunctives of this class are merely parts of elliptic propositions, where the protasis is suppressed. The words *restitisses, repugnasses* are taken by some editors to be an octonarius verse from some old tragedy or comedy. If so, we must write, says Halm, *reppugnasses* on the analogy of *reddo, redduco, reccido, rellatum, relligio, relliquiae*. See Lachmann on Lucretius p. 281 and 303.

l. 27. **de quo**, 'in regard to this,' 'as to this,' see above § 2 l. 18, n. to Cic. de off. I § 47 l. 20, § 82 l. 35.

l. 28. **penates patriique dei**, 'ye household gods and gods of our fathers.' The term *Penates* includes all the deities worshipped at the domestic hearth and in this sense comprehends the *Lares* or the departed spirits of ancestors, who were worshipped as tutelary gods. *Dei patrii* (πατρῷοι or πάτριοι) are those worshipped by all members of a place, state or nation in common (whence they are called ἐγχώριοι, πολιοῦχοι, ἔγγενεῖς) as their tutelary gods. The *Penates* may be included in the *dei patrii;* there were *publici Penates* as well as *publici Lares*, see Ramsay *R. A.* p. 321. See Hand on J. F. Gronovii Diatr. ad Stat. Vol. I p. 449. Cf. or. p. Sull. § 86 *quamobrem vos, dei patrii atque penates, qui huic urbi atque imperio praesidetis ...testor*, Liv. I 47 4 *dei penates patriique*. **vestrarum sedum—causa**] ne homines nefarii vestris templis scelerata faces inferrent. MAN.

l. 30. **carior**] or. in Cat. I § 27 *patria quae mihi vita mea multo est carior*.

l. 31. **si mihi...accidisset...si id vectores negarent**] an example of a conditional clause subordinate to a primary con-

ditional clause, where we should insert a copulative particle in some cases so as to make it a coordinate clause. The *si* of the secondary clause may be best translated 'in case that.' See n. to Cic. de off. III § 30 l. 9, Madv. ad Cic. de fin. p. 328 ed. 2, who quotes as instances or. p. Rosc. Am. § 2, ep. ad fam. XIII 26, 3, Verr. IV § 10, de imp. Pomp. § 59, or. p. Cluent. § 6, or. p. Balbo § 16.

l. 32. ut...minitarentur] a consecutive clause, epexegetic of *hoc*, § 47 l. 12, § 61 l. 25.

P. 22, l. 2. nisi dedidissent] see n. on § 11.

l. 3. vectores, 'the passengers.' *Vector* est et qui vehit et qui vehitur (ἐπιβάτης), Servius on Verg. Aen. VIII 532. The passive sense is very rare with nouns in *-tor*, affixed to the theme of the supine.

l. 6. mei cupidos] n. to or. p. Planc. § 48 l. 25. non modo]=*non dicam* (§ 46 l. 19) 'I do not say,' see n. to or. p. Planc. § 81 l. 19, below § 108 l. 9 where *non modo* and *non dicam* occur in the same sentence.

§ 46, l. 8. gubernaculis] § 20 l. 28.

l. 9. fluitantem in alto)(cursum tenentem suum, cf. below § 99 l. 13, or. p. Planc. § 94 l. 17. tempestatibus] ablative of cause, Kenn. § 144.

l. 11. proscriptio] not, as Halm understands it, the sentence of *aquae et ignis interdictio* which was pronounced against him after his voluntary retirement from Rome, cf. below § 133, or. p. Planc. § 97 l. 30, or. in Pis. § 30, de prov. cons. § 45, but [a general proscription after the fashion of Sulla. The words *caedes* and *direptio* suit better with this sense, and Cic. often declares that Clodius and the remnant of the Catilinarians were enemies of the state more than of himself. Cf. the similar expressions in § 49. J. S. R.]

l. 12. suspicione periculi sui] he refers to Pompeius, see § 41.

l. 13. vetere odio bonorum] cf. or. in Vatin. § 6 *cum odium disturnum, quod in bonos iam inveteratum habebatis, saturare cupieritis.*

l. 14. invideremt] sc. *mihi*, as a *novus homo*. In *obstare tibi* Caesar is especially referred to.

l. 15. dolorem aliquem suum, 'some personal grievance,' see note to § 39 l. 28.

l. 16. hunc...statum, 'the present order and settled government.' See n. on § 1 l. 5.

l. 18. me unum deposcerent] sc. ad poenam. depugnarem] not=depugnare debebam, as in § 45 l. 26, but the dubitative conjunctive, Kenn. Gr. p. 339, Madv. Gr. § 353, Roby Gr. II § 1610. Cf. a similar passage or. p. Planc. § 94 l. 17. cum summo exitio] 'to the utter ruin,' § 34 l. 13, § 49 l. 12.

CHAPTER XXI

§ 47, l. 22. at armis] sc. victi essent. The words *et armis* are not in any MS, but are a suggestion of Heraeus, which is better than that of Lambinus *ab eo armato privato*.

l. 23. ab eo privato] he would have had to carry arms, without being authorised to do so by holding any state office. See on § 40 l. 17. consul]=cum consul esset, *vivares dv* : cf. § 16 l. 10.

l. 24. qui superessent?] sc. nulli nisi Clodiani, i.e. servi, conducti, facinorosi, egentes; denique faex plebis, qua dominante res publica nulla est. WESENBERG. Cf. § 81, or. p. dom. § 89.

l. 25. ad servos—venturam fuisse, 'would have fallen into the hands of slaves.' Kenn. Gr. § 229, 9) p. 486, Madvig Gr. § 409 *obs.*, Zumpt Gr. § 593 n. For the expression cf. ep. ad fam. IV 9, 3 *miserius nihil quam ipsa victoria, quae etiam si* ad meliores venit, *tamen eos ipsos ferociores reddit*, Verr. 5 § 38 *neque illud rationis habuisti ... eam provinciam ... ad summam stultitiam nequitiamque venisse*, ib. 126 *cum videamus ad paucos homines omnis nationum pecunias venire.*

l. 27. quid tum? 'what next?' is often used by Cic. to draw attention to something emphatic which is to follow; cf. or. p. Flacc. § 55, Hor. Sat. II 3, 230, Verg. Aen. IV 543. Cf. *quid ergo* § 40, or. p. Rosc. Am. § 2.

l. 29. aut ego cet.] is the second member of the question introduced by *quid* to avert the reproach of cowardice. *Aut*, not *an*, is used because this new question does not contain an alternative to the former *mortemne fugiebam;* that is contained in p. 23, l. 1: *an erat mihi in tanto etc.* in tanta improborum multitudine] or. p. Sull. § 88 *non sum nescius quanto periculo vivam in tanta multitudine improborum, cum mihi uni cum omnibus improbis aeternum videam bellum esse susceptum;* Cat. IV § 22 *quare mihi cum perditis civibus aeternum bellum susceptum esse video.*

l. 31. exilium] so Madvig: Wesenberg, Kayser, Eberhard and others read after Hotoman *exitium*. Halm, however, prefers the reading of the mss *exilium*, as Cic. is here speaking of the time of his consulship, not of that when he was hesitating whether to leave Rome or not. *Mors* and *exilium* are often opposed as 'natural' and 'civil death,' see or. p. Planc. § 97 l. 30, or. p. Arch. § 14, de orat. I § 194, Tusc. III § 29, ep. ad Att. II 18, 1.

haec] quae sum perpessus. MAN.

l. 32. fata, 'prophecy;' de divin. I § 100 *ex fatis, quae Veientes scripta haberent*, or. in Cat. III § 9 *fatis Sibyllinis*. in ipsa re gerenda] 'at the moment of action,' in opp. to the time of his exile, when he shows that he had no longing for life. canebantur] 'were predicted,' a meaning which arose from the fact of the responses of oracles having been originally given in verse. Cf. or. in Cat. III § 18 *ut haec, quae nunc fiunt, canere di immortales viderentur*, and the verb *vaticinor*. The reference is to a passage in Cat. IV § 8: *deinde, si quid obtigerit, aequo animo fortique moriar.*

P. 23, l. 2. spoliatione, 'loss by robbery.' cf. § 54.

l. 3. natura, to whom he owed his children; fortuna, to whom he owed his estate.

l. 4. ignarus rerum] § 41 l. 14.

l. 5. nihil audieram? 'had I heard nothing,' i.e. 'had I not read in history:' see Reid on de am. § 41 l. 12.

l. 9. necessitati] sc. naturae; or. in Cat. IV § 7 *intellegit mortem esse aut necessitatem naturae aut laborum quietem.* patriae donata] or. Philipp. X § 20, *non est viri minimeque Romani dubitare cum spiritum, quem naturae debeat, patriae reddere*, XIV 9 31 *o fortunata mors, quae naturae debita pro patria est potissimum reddita*, anct. ad Herenn. IV c. 43 *vita, quae fato debetur, salute patriae potissimum solvatur.* deberetur] see Kenn. Gr. p. 483, Madvig Gr. § 383. potius quam] 'instead of.'

l. 11. hanc—ut alii dicerent] the *ut*- clause with consecutive subjunctive serves to expand the pronoun, a very common use in Cic.: see above § 45 l. 32, or. p. Planc. Index p. 245.

l. 12. alii, as the Epicureans, alii, Socrates, as he appears in Plato's dialogues, the *Phaedo*, *Phaedrus* and *Timaeus*.

l. 13. tum—maxime] illo potissimum tempore, illo tempore exacte definito, 'just at that time,' 'precisely then.' See Hand Tursell. III p. 606, Drakenborch ad Liv. XXVII 4, 2. It expresses the idea of 'then' more emphatically than *tum* alone.

mentes sapientium] Cic. Lael. § 18 *animos hominum esse divinos eisque cum ex corpore excessissent, reditum in caelum patere, optimoque et iustissimo cuique expeditissimum*, where Mr Reid observes that *ex corpore* is not used in the abstract sense of 'the body' but for *ex corporibus*, since as in Greek so in Latin when a number of persons are mentioned and then some one thing common to them all, that thing is often put into the singular, where our idiom would require the plural. Cf. Tusc. I § 40 *animos cum e corpore excesserint*, § 72 *animorum e corpore excedentium*, de sen. § 81.

l. 14. sentire ac vigere] Cato mai. § 83 *sed nescio quo modo animus erigens se posteritatem ita semper prospiciebat, quasi, cum excessisset e vita, tum denique victurus esset*, or. p. Mil. § 54 *in hac imbecillitate nostra inest quiddam quod vigeat ac sentiat*, Tusc. I § 21 *nec sit quicquam, nisi corpus unum et simplex, ita figuratum, ut temperatione naturae vigeat ac sentiat.*

l. 16. meliore esse sensu, 'to enjoy a better i.e. a clearer consciousness;' the abl. of quality or descriptive abl., Madv. Gr. § 272, Zumpt Gr. § 471, Kenn. Gr. § 399, Roby Sch. Gr. § 502. The infinitive is in apposition to the subject *alterum*.

§ 46, l. 17. omnia ad dignitatem rettulissem, 'I made honor (the enjoyment of consideration amongst my fellow-citizens) the rule or standard of my life, the principle of my thoughts and actions.' Cf. § 23 l. 5 *dignitati esse serviendum*, ep. ad fam. XII 22, 3 *te reip. causa hortor, ut omnia referas ad dignitatem*, Phil. X § 20 *ita a maioribus instituti atque imbuti sumus, ut omnia consilia atque facta ad dignitatem et ad virtutem referremus.* In this sense *dirigo* and *revoco* also are found. Nägelsb. lat. Stil. § 107, 2.

l. 19. virgines Athenis...Erechthei filiae] The oracle had promised Erechtheus victory in a war against Eumolpus of Eleusis, if he sacrificed one of his daughters. He offered Agraulos his youngest; with her the other sisters Erse and Pandrose sacrificed their lives, having taken an oath amongst themselves to share the same fate. Aristides Panath. (Vol. I p. 191 ed. Dind.) λέγεται γὰρ Ἐρεχθεὺς μὲν ἐν τῷ πρὸς Εὔμολπον τούτῳ πολέμῳ τὴν θυγατέρα ὑπὲρ τῆς πόλεως ἐνιδεῖναι τοῦ θεοῦ χρήσαντος, προσαγαγεῖν δ' αὐτὴν κοσμήσασα ἡ μήτηρ ὥσπερ εἰς θεωρίαν πέμπουσα, where the Scholiast observes: θυγατέρα λέγει τὴν Ἄγραυλον, περὶ ἧς καὶ Δημοσθένης ἐν τῷ παραπρεσβείας φησί, καὶ τῶν τοῦ ἐφήβου τῆς Ἀγραύλου ὅρκων. Αἱ δὲ ταύτης ἀδελφαὶ συνωμόσαν ἑαυτὰς τῇ ἀδελφῇ, ἥ τε Ἔρση καὶ

Πανδρόσῳ· ὅρκῳ γὰρ ἀλλήλας κατέκλεισαν κοινωνῆσαι ἐν ἅπασιν ἑαυταῖς. See Cic. de N. D. III c. 19, Tusc. I c. 48, de Fin. v. c. 22.

l. 20. **opinor**] Cic. disclaims accurate knowledge of Greek history; cf. below § 118, and cf. or. p. Flacco § 65, or. p. Scauro § 14, p. Rosc. Am. § 46, in Verr. IV §§ 4, 5, 39.

l. 22. **timerem**] § 43 l. 20.

l. 23. **ex qua C. Mucius—venisset**, 'from which came C. Mucius, who went, &c.'

l. 24. **proposita sibi morte**, 'although death stared him in the face.' See n. to or. p. Planc. § 5 l. 30.

l. 25. **P. Decius primum pater...post filius**] The two Decii, father and son, gave their lives as a propitiatory offering to the unseen powers, in order to bring victory to the Roman arms. The former in B.C. 337 at the battle of Veseris (near Vesuvius) fought against the Latins and Campanians (Liv. VIII 9); the latter, P. Decius Mus, in B.C. 295 at the battle of Sentinum against the Samnites, Etruscans, Umbrians and Gauls (Liv. X 28, Cic. de off. I § 61 l. 12, III § 16 l. 27, de fin. II § 61).

l. 26. **se ac vitam suam**] § 1 l. 4 *se ac salutem suam.*

l. 31. **patrem M. Crassi**] 'the father of M. Crassus' (§ 39 l. 8). 'De P. Crasso dicit, qui a victoribus L. Cinna et C. Mario proscriptus, cum ad mortem quaereretur, sua se dextera interfecit, vir illustris et qui de Hispania triumphaverat' (*Scholiasta*). P. Licinius M.F.P.N. Crassus Dives Lusitanicus was consul in B.C. 97 and triumphed in B.C. 93 for his successes over the Lusitanians. In the Civil war he sided with Sulla and put an end to his life on the return of Marius and Cinna to Rome in B.C. 87. Cf. or. p. Planc. § 32 l. 25, de orat. III § 9. **huius** might mean 'now living;' but more probably it is used because Crassus was present in court, as one of Sestius' supporters.

l. 32. **ne videret victorem vivus**] not a reminiscence of a passage from some poet, as suggested by O. Müller, for, as Mr Reid observes, Cic. never introduces any but the most hackneyed quotations without some warning. The superfluous *vivus* is used proverbially as in § 59 *vivus ut aiunt, est et videns cum victu ac vestitu suo publicatus*, where, as in this passage, observe the alliteration.

P. 24, l. 1. **inimicum**] L. Cinna. **exhausisse**] Halm explains this on the analogy of such expressions as *exhaurire laborem, periculum* etc., as if his life had been *aerumnosa*, but cf. § 80 *plaga...si accessisset, reliquum spiritum exhausisset*, where it simply means 'to empty,' 'drain out.'

CHAPTER XXII

§ 49, l. 4. **peremisset**, 'should give the final blow to. See or. p. Planc. § 90 l. 8, § 101 l. 11 n., de off. III § 33 l. 7 n. For the use of the pluperfect tense cf. above § 43 l. 11, § 45 l. 2.

l. 8. **exemplum rei publicae conservandae cet.**] as in ep. ad fam. I 9, 15: *qui cum tribunus pl. poenas a seditioso civi per bonos viros iudicio persequi vellet, exemplum praeclarissimum in posterum vindicandae seditionis de republica sustulerunt.*

l. 10. **tanto bonorum...studio...**] § 35 l. 13 n.

l. 11. **quod**=quae restitutio.

l. 12. **ullam—partem**] or. p. Mil. § 68 *sed qui non intellegit, omnis tibi rei publicae partis aegras et labantis... esse commissas?* **cum sua minima invidia**] i.e. even if he had only the least and not the greatest degree of unpopularity to fear: cf. above § 46 l. 18, or. p. Planc. § 90 l. 32.

l. 17. **gloria**, 'by a glorious act,' the suppression of Catiline.

neque enim in hoc me hominem esse...ut...glorier] 'for in this point, that I should boast *me...sine dolore caruisse* etc., I will not deny I am but human; I have, I confess, too much the feelings of a man to boast.' A rhetorical amplification for *neque enim gloriabor.*

l. 20. **hoc honoris gradu**] i.e. as a consular.

l. 21. **quod benef. haberetis**] 'what should I have offered you as a service, when for your sakes I left behind me only what I held cheap?' *vilia*)(cara.

l. 23. **meo animo**, 'according to my feelings.'

l. 26. **hunc**] sc. *dolorem.* **me perpeti ... malui**] on the construction see n. to de off. I § 65 l. 19.

§ 50, l. 27. **divinum**, 'extraordinary,' 'superhuman,' as in § 85 l. 24, or 'immortal.'

l. 28. **ex isdem radicibus**] for Arpinum was the birthplace of both. See below § 116 l. 11, or. p. Planc. § 20 l. 3, l. 4 nn. **natum ad salutem**] or. p. Sull. § 23 *ex eo muni-*

cipio, unde iterum iam salus huic urbi imperioque missa est, where see Reid's note.

l. 29. **summa senectute**] he was in his 70th year, Vell. Patero. II 19, 2, Plutarch Mar. c. 41.

l. 30. **prope iustorum**] because, though *arma civilia* could never be considered as absolutely *iusta*, they were more justifiable in the case of Sulla, because he was consul. **profugisset**] sc. ex urbe.

l. 31. **occultasse**] the perfect infinitive is used after *memini* of a thing of which one has not been oneself a witness, the present of a past transaction of which one has been oneself a witness, Madvig Gr. § 408 b, *obs.* 2. For the story cf. or. p. Planc. § 36, or. in Pis. § 43, de finn. § 105.

P. 25, l. 1. **cum—fugeret**, 'since he avoided.'

l. 2. **eras Africae desertissimas**] Vell. Patero. II. 19, 4 *at ille...cursum in Africam direxit, inopemque vitam in tugurio ruinarum Carthaginiensium toleravit.*

l. 3. **atque**, 'and so.'

l. 4. **ad incertissimam spem**] his position was so insecure that he could scarcely hope for any turn of fortune, much less the power of taking revenge on his enemies. **ad rei p. fatum**] because the return of Marius was attended with the murder and proscription of the best citizens, whereas Cic. *periculo rei p. vivebat.* But the reading is doubtful; see cr. n.

l. 6. **periculo rei p. vivebam**] i.e. vita mea servata continebat salutem reipublicae. BAKE. Because risk to his life would have brought risk to the state. The ablative of attendant circumstances with noun in the genitive case as predicate, cf. above § 49 l. 10, or. p. Flacc. c. 17, 41 *nostro periculo vivere tuos contubernalis*, Liv. 23, 49, 2 *ut publico periculo essent*, i.e. ut, si quid damni veniret, id ad remp. pertineret.

l. 7. **consularibus litteris**] those of P. Lentulus Spinther, which were written in pursuance of a decree of the senate, passed during a sitting in the temple of *Honos et Virtus*. See § 128, and cr. p. Planc. § 78 l. 12; also or. in Pis. § 34 *me idem senatus exteris nationibus, me legatis magistratibusque nostris auctoritate sua consularibus litteris commendavit.* By *exteras nationes* are meant those subject to Rome. **de senatus sententia**] see Reid's note on or. p. Balb. § 11 l. 29.

l. 9. **si deseruissem**, 'if I had failed to protect.' **ut est**, 'as it is.' **nunc quidem**] adversative, in which however.'

NOTES

l. 11. **fidei publicae**] i.e. quam resp. ipsa praestiti cive optimo in patriam restituto, quam intuentes boni semp parati erunt de patria bene promereri: cf. or. p. Planc. § 90 l. *quid peremptum esset mea morte id exemplum, qualis futura in me retinendo fuisset senatus populusque Romanus.* Tac. Ann. XIV 48 *publicae clementiae exemplum.* HALM.

CHAPTER XXIII

§ 51, l. 14. **externa bella**)(*domesticis malis*: cf. § 56 l. 7, or. de pr. cons. § 31, in Cat. II § 11 *nulla est natio quam pertimescamus, omnia sunt externa unius virtute ... pacata; domesticum bellum manet, intus insidiae sunt* etc., de leg. agr. I § 26 *nullum externum periculum est, non rex non gens ulla, non natio pertimescenda est: inclusum malum, intestinum ac domesticum est*, or. p. Mur. § 78. **gentium, nationum**] *gens* is a 'stock' or 'race' to which several *nationes* i.e. 'separate tribes' or political aggregates may belong.

l. 15. **ut praeclare cum iis agamus**, 'that we deal well with those,' 'treat them well,' cf. Phil. XIV § 30 *facile est bene agere cum his*, Val. Max. V 3, 3 *bene egissent Athenienses cum Miltiade.* The passive impersonal is more frequent or. in Verr. I § 9 *praeclare nobiscum actum iri*, III § 50 *intelleget secum actum esse pessume.*

l. 16. **denique**, 'in a word,' 'in fact,' often so used in the second member of a period, as div. in Caec. § 58, or. in Verr. I § 149, II § 167, III § 81, V § 69 etc. **pacatos**] see Add. p. 279.

l. 17. **non fere quemquam** = non facile quemquam, 'hardly any one;' or. p. Mur. § 13 *nemo fere saltat sobrius*, Tusc. disp. II § 8 *Epicurum autem...non fere praeter suos quisquam in manus sumit*, I § 38 *rationem illi sententiae suae non fere reddebant.* See Hand Tursell. II p. 695. **est...consecuta**] Ter. Phorm. V 1, 23 *matrem ipsam ex aegritudine miseram mors contecuta est.*

l. 18. **domesticis**] § 56 l. 7. **invidia**] 'hatred,' 'dislike.'

l. 20. **retinenda medicina**] with especial reference to his client Sestius, who stood in danger of exile, because of the active part he had taken, as tribune, against the revolutionary party. [This refers rather to the *senatus consultum ultimum* which was attacked in Cicero's person. J. S. R.]

l. 23. **adulescentes**] cf. § 96, § 119: solebant autem adulescentes audiendi discendique causa causis illustrioribus interesse; v. Plin. Ep. IV 16. ABRAMI.

l. 24. **meo iure**] because I have earned the gratitude of my country. **dignitatem**, 'honourable position in public life,' **rem publicam**, 'the welfare of the state.'

l. 25. **si—aliquando**] see a good note by Mr Reid on de am. § 24 l. 23.

l. 27. **recordatione mei casus**] reditus enim gloria, non discessus calamitas cogitanda vobis est. MANUTIUS.

§ 52, l. 29. **umquam**] i.q. umquam iam 'ever again,' **eius modi consules**] i.e. such as Gabinius and Piso.

l. 30. **si erit iis id quod debetur persolutum**, 'if they meet with the treatment which they deserve:' or. in Pis. § 93 *se quae deberentur postero die persoluturum*, or. p. Sull. § 87 *persolvi patriae quod debui*. *Eis* not *his*, which would refer to the consuls of that year, Cn. Lentulus and L. Philippus.

l. 32. **bonorum**] he means Caesar, Pompeius, and Crassus.

P. 26, l. 1. **illis tacentibus**, 'without any objection on their part.' See § 40 l. 25.

l. 2. **terrorem**, 'bugbear,' § 38 l. 20. **togatis**, 'peaceable citizens.'

l. 3. **ad portas sedenti imperatori**] Caesar was still before the gates of Rome, when Cic. left the city in B.C. 58.

suum terrorem] *suum* is emphatic by its position. Cf. Verr. III 68 *formidinem illam suam*, 'the dread inspired by him.'

l. 4. **iactari**] cf. or. p. Quin. § 47 *minae iactentur*. **opponi**] § 42 l. 23.

l. 5. **ne supplicandi quidem**] cf. §§ 26, 32.

l. 6. **captus**, 'weakened,' 'disabled.' See on § 35 l. 12.

l. 7. **relegentur**] § 29 l. 1, or. in Pis. § 23.

l. 8. **cum**, 'although.' **multo alia maiora**] for *alia multo maiora*; Cic. is fond of separating *tanto, quanto, multo, hoc, quo, paulo, tam, quam* by some generally small words from the words which they qualify. Cf. de or. II § 96 *multo eius oratio esset pressior*, de am. § 70 *multo profecto magis*.

l. 10. **brevi—tempore**] 17 months. He left Rome in March B.C. 58, and returned on Sept. 4 B.C. 57.

After the Digression Cicero reverts to the subject of the bill of Clodius, and proceeds to comment indignantly on the state of public affairs after his own departure, and the indecent haste with which the consuls, the natural guardians of the public peace, with all their seditious crew around them, indulged in public feasting and revelry and mutual congratulations on their victory and on having revenged the death of their old friends on the head of Cicero. Clodius in the meanwhile, not content with exerting his vengeance only on Cicero's houses, pursued his wife and children with the same fury and made several attempts to get his son into their hands, to kill him (§§ 53—54).

CHAPTER XXIV

§ 53, l. 12. **sed**] resumptive, or. p. Planc. § 8 l. 31, § 10 l. 32. **in hac omni oratione**, 'in all this recital, throughout this part of my speech.' Cf. above § 14, or. p. Rosc. Am. § 143.

l. 13. **omnibus malis**, 'all possible misfortunes.' So § 89 *omnes necessitudines*, § 55 *omnium remediorum*.

l. 14. **scelere**] see n. to § 2 l. 20. **esse confectam**] dependent upon *illud*, cf. § 112.

l. 15. **funestus—luctuosus**] § 27 l. 1.

l. 17. **eripuissem**] or. p. Planc. § 97, where *eripere* means 'to snatch away,' it takes *e* or *de* with ablative of the thing, or the dative of the person; when the sense is 'to rescue' it is followed by *ex* in Cic. See Reid on Cic. or. p. Sull. § 28 l. 3.

l. 18. **perfidiae**] see § 15. **telis minisque**, 'actual and threatened violence.'

l. 20. **patriae caritatem**, 'affection for my country.' Cf. § 37 l. 1.

l. 22. **tecta—lugerent**] cf. or. in Pis. § 21 *cum omnes boni abditi inclusique maererent, templa gemerent, tecta ipsa urbis lugerent*, or. in Vat. § 8.

l. 24. **lucem**, 'publicity,' 'the public gaze.' So Brut. § 82 *forensi luce carere*, de sen. § 12 *in luce atque in oculis civium magnus*.

l. 25. **dic dico?**] in the figure correctio or retractatio the word is repeated alone or with *dico, inquam* and sometimes *autem* as in or. Phil. II § 48, or. p. Rab. Post. § 10.

l. 26. **pernicies—rogata est**] i.e. in the first *rogatio* of Clodius against Cicero, which was put to the vote and carried. See Intr. to Planc. p. x, above § 25 l. 30.

l. 27. **provincia**] Cilicia and Macedonia. The *lex Clodia* provided for the exemption of the two consuls from the restric-

tions of the *lex Sempronia de provinciis consularibus*, which required the Senate to name annually two consular provinces before the consuls for the next year were elected, so that the provinces might be named before the Senate knew who would be consuls. See Long, *Decline of the R. R.* 1 p. 270.

l. 29. illa] § 37 l. 4. monstra, 'abominations.'

l. 30. ex senatus auctoritate] i.e. by the *extremum atque ultimum senatus consultum* as Caesar calls it (bell. civ. 1, 5) *quo nisi pacne in ipso urbis incendio atque in desperatione omnium ... numquam ante descensum est, dent operam consules praetores, tribuni plebis quique pro consulibus sint ad urbem, ne quid res publica detrimenti capiat.* See Intr. § 11, Ramsay R. Ant. p. 149, Heitland or. p. Rabir. pp. 83—88, where the subject is most fully treated.

l. 31. et expulsus] rhetorically for *isque*, 'and that too.' Cf. § 76 *victa est causa rei publicae...et victa*, § 54 *lex erat lata...et ea lex*, ib. *gener et Piso gener.*

P. 27, l. 1. servitio] collective noun, 'slaves,' § 67 l. 14, or. in Pis. § 9 *ex omni faece urbis ac servitio*, Verr. II 5 § 9 *coeptum esse in Sicilia moveri servitium suspicor.* Cf. § 34 l. 31.

l. 2. vasto, 'desolate,' de leg. agr. II § 70 *genus agrorum vastum atque desertum*, Liv. III 7, 3 *in vasto ac deserto agro.* Halm[e] Klotz and Müller read *vastato.*

l. 3. quae ut ne ferretur] a final clause. On the difficult subject of the syntax of *ut ne* Reid has an admirable note, or. p. Sull. § 27 l. 24.

l. 4. fuerat veste mutata] § 26 l. 32. For the abl. see n. on § 27 l. 10.

§ 54. hac tanta perturbatione] Madv. Gr. § 277, P. S. Gr. § 161. l. 5. ne noctem quidem] 'not even one night.'

l. 6. interitum] either this word or *casum* must be supplied to fill up the gap in the mss. Cicero uses one or other of these words, and sometimes *clades*, *pestis* and *pernicies* in speaking of his banishment. See §§ 29, 44, 51, 53, 60, 123, 140, 145. [*Volnus* would suit the context very well. J. S. R.]

l. 7. statim me perculso] cf. or. p. red. in sen. § 17 *cum ego una cum republica non tribunicio sed consulari ictu concidissem, tanto scelere fuisti, ut ne unam quidem horam interesse paterere inter meam pestem et tuam praedam.*

l. 8. etiam] temporal 'still.' Dicit autem *spirante republica*, cum de se ipso loquatur, quia remp. una cum ipso perculsam confectamque esse vult existimari; cf. § 53, in Pis. c. 9. MANUTIUS. Translate: 'while the state had still life in it.'

l. 9. advolaverunt] cf. § 109 l. 27 *tamquam ad funus convolant.* gratulationes, 'jubilations,' 'manifestations of joy,' generally used of a religious festival of joy and thanksgiving. Cf. § 111 *is interfuit epulis et gratulationibus parricidarum*, or. in Pis. § 22, or. p. Flacco § 98, Philipp. 10, 1, or. Verr. II 4, 74.

l. 10. . partitionem aerarii] § 24 l. 24, or. p. dom. § 23, or. in Pis. § 86. beneficia] military promotions and appointments on the future staff (*cohors praetoria*) of the proconsuls. Cf. Suet. Tib. c. 12 *beneficii sui centuriones*, and cf. n. to or. p. Planc. § 12 l. 20. [*Beneficium*, *beneficiarii*, 'privileged soldiers,' are very common in inscriptions of the empire. J. S. R.] spem, promissa] § 34 l. 8.

l. 11. vexabatur uxor mea] After Cicero's banishment Clodius demolished his house on the Palatine, which he had bought of Crassus for 32 million sesterces, and several of his country houses; his wife Terentia was driven away, and took sanctuary with her sister Fabia, in the temple of Vesta, but was dragged out of it forcibly by order of Clodius to the Valerian Exchange to be examined about the concealment of her husband's effects.

gener et Piso gener=gener isque Piso, 'a son-in-law and that son-in-law Piso.' See above § 53 l. 31, ep. ad fam. 2, 7, 4 *a tribuno plebis et a Curione tribuno*, ep. ad Att. 5, 2, 2 *cum Hortensius veniret et infirmus et tam longe et Hortensius.* Cic. had three sons-in-law, C. Calpurnius Piso Frugi, Furius Crassipes, P. Cornelius Lentulus Dolabella.

l. 13. supplex] i.e. cum supplex esset. Cf. or. p. Planc. § 50 l. 17 *numquam fere nobilitus...a populo Rom. supplex repudiata est*, and above § 16 l. 10, § 47 l. 23.

l. 14. bona...ad consules deferebantur] cf. or. p. red. in sen. § 18 *domus mea diripiebatur, ardebat; bona ad vicinum consulem* (Piso) *de Palatio, de Tusculano item ad vicinum alterum cons.* (Gabinius) *deferebantur:* and or. p. dom. § 62 *cum domus in Palatio, villa in Tusculano, altera ad alterum consulem transferebatur; columnae marmoreae ex aedibus meis inspectante populo Rto. ad socrum consulis portabantur: in fundum autem vicini consulis non modo instrumentum aut ornamenta villae, sed etiam arbores transferebantur;* or. in Pis. § 26. eaque, 'and that too.'

l. 17. commoverentur] see on § 45 l. 26.

Cic. then proceeds to the consideration of the other laws and measures of B.C. 58, *apart from the bill affecting himself, by which*

...lius sought to appear in the light of a benefactor to the people the real tendency of which was to relax the public discipline ... time when it wanted most to be reinforced, and to set aside ...y wise institutions of antiquity:—(1) that the censors should expel from the senate or inflict any mark of infamy on any ... who was not first openly accused and convicted of some crime ... their joint sentence; (2) the revival of the old companies (collegia), *which the senate had abolished, the incorporation of new ones which might easily assume a political character; (3) that corn should be distributed gratis to the citizens; (4) the transfer of Gabinius from Cilicia to the wealthy province of Syria; (5) the repeal of the* lex Aelia Fufia, *the only check upon tumultuous assemblies that had subsisted for a whole century, and which Cic. calls the bulwark and fortress of public tranquillity* (§§ 55—56); (6) *on the deprivation of the priest of Cybele at Pessinus and the appointment of Brogitarus of Galatia in his stead, and the conferring of the title of king upon him; (7) on the restoration of certain exiles of Byzantium, whom their city had driven out for crimes against the public peace; (8) on the deprivation of Ptolomaeus, king of Cyprus, and the confiscation of his whole estate—an unparalleled act of injustice, and the appointment of Cato as extraordinary commissioner to carry out the law, which was really only a means of getting rid of a troublesome adversary for the remainder of his magistracy and to gratify the vain desire of tarnishing the reputation of a man so distinguished* (§§ 57—63). *Against these measures the consuls, had they done their duty to the state, ought to have protested; what could be expected of men who stood aloof when a grievous injustice was being done to a citizen who had deserved so well of his country as I had* (§§ 64—65). *This state of things might have continued and other mischievous and unconstitutional laws been framed but for the intervention of Pompeius, who, having for some time stood aloof from public affairs, at length declared against Clodius* (§§ 66—67).

CHAPTER XXV

§ 55 l. 18. **sed ut—recedam]** a parenthetic final clause, Kenn. Gr. p. 458: Tusc. 5 § 76 *ut iam a laqueis Stoicorum—recedamus.*

l. 19. **pestes,** 'distempers.'

l. 20. **vim,** 'number.' **omnium]** § 53 l. 13, § 89 l. 9.

l. 21. **proximis** = proximi anni, 'next year's magistrates.'

l. 22. **legum multitudinem]** This was one *pestis;* the list of others should have followed, but is interrupted by the de-

tailed account which Cic. gives of the different measures proposed (*promulgatae*) or enacted (*latae*) by Clodius. Abrami aptly compares Tac. Ann. III c. 27 *corruptissima re publica plurimae leges.* **latae sunt,** 'were carried once for all.'

l. 23. **promulgatae fuerunt]** i. e. aliquamdiu promulgatae pependerunt ('continued to be mere projects'), Madvig Opusc. II p. 219, who compares or. p. Sull. § 65 *lex dies fuit proposita paucos,* i.e. 'remained during a few days as a project,' where Mr Reid observes that this form of the perfect passive is comparatively rare before Livy, and refers to Roby Gr. II § 1453. 'Saepe hanc,' says the Scholiast, 'ostendi promulgatae legis et latae differentiam: nam trinundino proponebantur ut in notitiam populi pervenirent, quo exacto tempore ferebantur in iuris validi firmitatem.' Pompeius' secession from Clodius, followed by that of Caesar in the second half of the year, was probably the cause why the laws were only *promulgatae,* not proceeded with. See Intr. § 19, Mayor Phil. II p. 138.

l. 24. **tacentibus dicam?]** see n. to § 53 l. 25.

l. 25. **ut censoria notio—tolleretur,** 'that the censors' power of marking a man with ignominy should be abolished.' Cicero makes the same statement in the speech de provinc. cons. § 46 *censorium iudicium ac notionem et illud morum severissimum magisterium non esse nefariis legibus de civitate sublatum.* But according to Asconius on or. in Pison. § 9 (Orelli Cic. V. 12, p. 9) the bill of Clodius only provided that the censors should not pass over any man when they were constituting the senate, nor mark any man with ignominy, unless he had been charged before them and condemned by the judgment of both censors: '*Diximus L. Pisone et A. Gabinio cos. P. Clodium, tribunum plebis, quattuor leges perniciosas populo Romano tulisse;* (1) *annonianam,...ut frumentum populo, quod antea senis asris ac trientibus in singulos modios dabatur, gratis daretur;* (2) *alteram ne quis per eos dies, quibus cum populo agi liceret, de caelo servaret, propter quam rogationem ait legem Fufiam et Aeliam, propugnacula et muros tranquillitatis atque otii, eversam esse; obnuntiatio enim, qua perniciosis legibus resistebatur, quam Aelia lex confirmaverat, erat sublata;* (3) *tertiam de collegiis restituendis noviisque instituendis, quae ait ex servitiorum faece constituta;* (4) *quartam, ne quem censores in senatu legendo praeterirent, neve qua ignominia afficerent, nisi qui apud eos accusatus et utriusque sententia damnatus esset; hac ergo eius lege censuram, quae magistra pudoris et modestiae est, sublatam ait.* This law, according to Dio Cassius 40, 57, was repealed by Scipio, the father-in-law of Pompeius, in B.C. 52.

notio = cognitio, de off. III § 111.

l. 26. **de re publica**] not *de civitate*, because the *censoria animadversio* was an integral part of the constitution.

l. 27. **conlegia**] see n. on § 34 l. 24.

l. 30. **remissis semis et trientibus**, 'by the remission of the payment of six and one third asses' the modius. This was the fixed price at which the grain was sold to the citizens, probably at the rate of 5 bushels a month, by the State according to the frumentarian law of Gaius Gracchus B.C. 123 (Plutarch C. Gr. c. 5), renewed in the *lex Terentia Cassia* of B.C. 73. In Cicero's time the bushel (*modius*) was worth at least 3 sestertii = 12 asses. Clodius proposed to give the corn gratis which would have caused a loss of nearly one fifth of the revenues of the state (*vectigalia*).

l. 31. **sua**, 'his proper province.' Cf. or. de domo sua § 23 *cui quidem (Gabinio) cum Ciliciam dedisses, mutasti pactionem et Ciliciam ad praetorem item extra ordinem transtulisti; Gabinio pretio amplificato illam opimam fertilemque Syriam nominatim dedisti.*

l. 32. **prodidisset**] for the tense see n. to § 43 l. 11, § 45 l. 2, § 49 l. 4.

P. 28, l. 1. **uni helluoni**] i.e. Gabinius, cf. § 20 l. 27, § 26 l. 25, or. in Pis. § 41, de prov. cons. § 11.

l. 2. **rogata lege**] qua Ciliciam obtinuerat. FERRAT. See n. to § 53. After *rogata* there is a blank in the MSS, which has been variously filled up: see cr. n.

CHAPTER XXVI

§ 56, l. 4. **eam legem**] This refers to the proposal of Clodius that no magistratus, when the popular assembly was summoned for business, should have power to watch the heavens. 'Dion's statement,' says Long, 'that Clodius proposed to get rid of this practice that he might not be hindered in his design on Cicero seems to be true. Thus were abolished the famous law or laws named *Aelia* and *Fufia*, which as Cic. (or. in Vatin. § 23) says *in Gracchorum ferocitate et in audacia Saturnini et in colluvione Drusi et in contentione Sulpici et in cruore Cinnano, etiam inter Sullana arma, vixerunt.* **iura religionum**] 'the rules of law about religious ceremonies,' § 98. On the meaning of the word *religio* some useful observations will be found in Ihne's Rom. Hist. Book VI ch. 13.

l. 5. **potestatum**] not 'state officers' but 'political offices' or 'magisterial powers,' as in § 98 l. 28, with reference to the

right of *obnuntiatio* (§ 33) belonging to the *magistratus pares et maiores* and the tribunes of the people: *de iure*, the *lex Aelia; de tempore* the *lex Fufia*. See on § 33. [leges quae sunt, cf. de sen. § 59 l. 16 *in eo libro qui est de tuenda re familiari.* J. S. R.]

l. 7. **domesticam labem**, 'the mischief done (at home) to the state,')(*exteras nationes.* Cf. above § 51 l. 14, de off. II § 26 *externa libentius in tali re quam domestica recordor.*

l. 8. **furore**, 'mad acts.' **conquassatas**, 'shaken to the foundation,' § 73 *flammam quassatae rei publicae*, or. in Vat. § 19 *adeone non labefactatam rem publicam te tribuno neque conquassatam civitatem.*

[l. 9. **videbamus**, 'we saw over a considerable period,' 'we grew accustomed to see;' for the tense cf. de am. § 37 *Gracchum rem p. vexantem ab amicis derelictum videbamus*, de sen. § 49 l. 28. J. S. R.] Rather, 'there stood before our eyes.'

lege tribunicia] by a plebiscite, and not by a decree of the senate to whom the administration of foreign affairs exclusively belonged, said in contempt, § 61 l. 4.

Pessinuntius 'at Pessinus,' the capital of Galatia, of which Strabo 12, 5, 3 says: *ἐμπορεῖον τῶν ταύτῃ μέγιστον, ἱερὸν ἔχον τῆς μητρὸς τῶν θεῶν σεβασμοῦ μεγάλου τυγχάνον· καλοῦσι δ' αὐτὴν Ἀγδιστιν. Οἱ δ' ἱερεῖς τὸ παλαιὸν δυνάσται τινὲς ἦσαν, ἱερωσύνην καρπούμενοι μεγάλην κ.τ.λ.*

l. 11. **sanctissimarum atque antiquissimarum religionum**, 'the seat of the most holy and time-hallowed cult.' For the gen. see above § 36 l. 23, Kenn. § 168, Roby § 524.

l. 12. **pecunia grandi**, 'for a large sum of money.' Brogitarus was son-in-law to King Deiotarus. Cf. de har. resp. § 28 *sed quid ego id admiror? qui accepta pecunia Pessinuntem ipsum, sedem domicilliumque Matris deorum, vastaris et Brogitaro Gallograeco, impuro homini ac nefario, cuius legati te tribuno dividere in aede Castoris tuis operis nummos solebant, totum illum locum fanumque vendideris? sacerdotem ab ipsis aris pulvinaribusque detraxeris? omnia illa, quae vetustas, quae Persae, quae Syri, quae reges omnes semper summa religione coluerunt, perverteris?*

l. 13. **religione**, 'sacred office.' **praesertim cum**, 'and that too though.' Madv. on Cic. de fin. II § 25, de off. II § 56, Roby Gr. § 734, Reid or. p. Sull. § 6, who says 'in Cic. *praesertim* not seldom introduces a consideration which is contrasted with what precedes, though oftener the second consideration is confirmatory of the first.'

eam] the conj. of Manutius for the MS reading *ea*.

l. 14. violandi causa, 'in order to profane, desecrate it.'

l. 15. a populo] This was another encroachment on the prerogative of the senate, who alone could confer the title of 'king.' Liv. 30, 15, 11; Tac. Ann. 4, 26. Cf. de har. resp. § 29 *atque hunc tamen Deiotarum, saepe a senatu regali nomine dignum existimatum, tu etiam regem appellari cum Brogitaro iubes: sed alter est rex iudicio senatus per nos, pecunia Brogitarus per te appellatus*, or. p. Mil. § 73 *eum qui regna dedit, ademit*, or. p. dom. § 129 *regum appellationes venales erant*. postulassent] 'had demanded as a right.'

l. 16. Byzantium] which was a *libera civitas*, see on § 64, § 84. condemnati] i.e. after a formal trial and that on a capital charge (*rerum capitalium*) as we learn from § 84. *Ingessit* (Clodius) *invidiam, restitutos tunc eos, qui damnati legitime fuerant, cum ipse indemnatus Cicero in exilium fuisset electus*. SCHOL. BOB. Cf. Cic. de leg. agr. II § 10 *neque vero illa popularia sunt existimanda, iudiciorum...perturbationes, restitutio damnatorum, qui civitatum adflictarum perditis iam rebus extremi exitiorum solent esse exitus*, Verr. V § 12 *perditae civitates hoc solent exitus exitialis habere, ut damnati in integrum restituantur, vincti solvantur, exsules reducantur, res iudicatae rescindantur*.

§ 57, l. 18. rex Ptolomaeus] Ptolomaeus, King of Cyprus, an illegitimate son of Ptolomaeus Lathyrus, and the younger brother of Ptolomaeus XI Auletes King of Egypt B.C. 80, who in the consulship of Caesar B.C. 59 and through his favour had obtained from the Roman senate the ratification of his title to the crown by vast bribes (Caes. de bell. civ. III c. 107). The ostensible ground for Clodius' proposal to deprive him of his kingdom was that he neglected to ransom him when he had fallen into the hands of the Cilician pirates. For the real ground see Intr. § 5. Observe the anacoluthon in this long sentence: *rex Ptolomaeus* should have been followed by *praeconi subiectus est*.

l. 20. cum esset in eadem causa, 'though he was in the same position' i.e. though his case was the same as that of his brother the King of Cyprus, and his deserts no higher. Cf. de fin. 1 § 49 *qua* (cura) *qui affecti sunt in eadem causa sunt, qua antequam nati* with Madvig's note, or. Verr. V § 53, § 111, de leg. I 48 *eadem omnium virtutum causa atque sententia est*.

l. 21. erat] Supply *qui* as also before *denique erat rex*.

l. 22. eadem vetustate societatis] i.q. eadem vetusta societate: cf. below § 88 l. 32, § 141 l. 30, de off III § 105

l. 15, Mayor on Phil. II § 64 l. 1. The King of Cyprus only wanted the formal recognition by investiture with the title of *socius*.

l. 23. si nondum—at non, 'if not yet—at least not.' See n. on § 7 l. 30, § 14 l. 7, or. p. Planc. § 29 l. 12.

l. 24. regno paterno atque avito—perfruebatur, 'he was in the full enjoyment of his paternal, indeed his ancestral dominions with kingly ease.' *regali otio* is the modal ablative.

l. 26. operis, 'hired agents,' § 18, § 28, § 38.

l. 27. sedens] sc. in sella regia. '*δεινότερον* facere voluit, exprimens maiestatem regiam per ipsa habitus lineamenta, quae venerationi esse debuerint.' SCHOL. BOB.

l. 28. et illis insignibus regiis, 'and that especial badge of regal dignity,' the crown. Cf. § 58. praeconi publico subiceretur, 'should be sold by public auction;' the mention of his person for his kingdom gives additional rhetorical pathos. Cf. Phil. II § 65 *Pompei sector* for *sector bonorum Pompei*, or. p. dom. sua § 20 *cum lege nefaria Ptolemaeum* (i.e. Ptolemaei bona) *publicasses*, Suet. Claud. c.g. *Claudius venalis pependit*, Flor. III 9, 3 of the same affair: *populus regis confiscationem mandavit*. Nägelsbach Stil. § 16. So we speak of a person being 'sold up.'

l. 31. nulla iniuria commemorata] ad morem fetialium et patris patrati alludit qui commemorabant iniurias, priusquam bellum indicerent. ABRAMI.

nullis rebus repetitis, 'without making any demand for restitution or satisfaction,' i.e. without any formal declaration of war. Cf. Varro ap. Non. p. 529 (quoted by Nic. Abrami): *itaque bella et tarde et magna diligentia suscipiebant, quod bellum nullum nisi pium putabant geri oportere: priusquam bellum indicerent iis, a quibus iniurias factas sciebant, fetialis legatos res repetitum mittebant quattuor, quos oratores vocabant*. Cf. Liv. I 22; Ramsay R. A. p. 331.

CHAPTER XXVII

P. 29, § 58, l. 1. turbulenta, 'revolutionary acts,' 'storms.'

l. 2. in me, 'in my case,' 'in my person.'

l. 3. haud scio an recte, 'I am inclined to think rightly,' lit. 'I don't know whether (wrongly or rather) rightly,' since *an* is always used in the second member of an alternative question. See n. on p. Planc. § 33 l. 11.

l. 4. **Antiochum Magnum**] Antiochus, the King of Syria, who was defeated by the Romans at Thermopylae in B.C. 191, and again at Mt Sipylus near Magnesia by L. Scipio in B.C. 190, when peace was granted him on condition of his ceding all his dominions E. of Mount Taurus. The terms imposed on Antiochus are given by Livius 38, 38, 4: *excedito urbibus agris vicis castellis cis Taurum montem usque ad Halyn amnem et a valle Tauri usque ad iuga, qua in Lycaoniam vergit:* that is, he was compelled to cede all his possessions in Europe and all the territory in Asia Minor to the west of the river Halys throughout its course, and of the mountain-chain of the Taurus, which separates Cilicia and Lycaonia, so that he retained nothing in the Anatolian peninsula but Cilicia. Mommsen Rom. Hist. Bk III ch. 9 Vol. II p. 291.

Magnum — magna] an instance of paronomasia, to heighten effect, which reminds us of Homer's *κεῖτο μέγας μεγαλωστί* (Il. XVI 776), and Virgil's *ipse gravis graviterque ad terram pondere vasto concidit*, Aen. V 447.

l. 6. **intra montem Taurum**] i.e. from the point of view of Antiochus, *ne montem T. egrederetur.* **regnare**, 'to be king.'

l. 7. **qua illum multarunt**] Cf. Cic. or. p. Balb. § 41 *Hispanis agris stipendioque multatis*, Tusc. V § 106 *multantur bonis exules*, Tac. Hist. I c. 66 *publice armis multati.* **Attale**] a slip or historical error for Eumenes II, son of Attalus I, King of Pergamum B.C. 197—B.C. 158, who was the ally of the Romans against Philip and the Achaei. His fidelity and services to Rome were rewarded by the cession to him of several provinces in Asia and the Chersonese with Lysimachia in Europe (Mommsen *l. c.* III p. 293). Eumenes was succeeded by his brother Attalus II, who also fought on the side of the Romans against Antiochus.

l. 8. **Tigrane**] Tigranes was king of Armenia and several of the adjacent provinces (*βασιλεὺς βασιλέων* as he called himself Appian Syr. c. 48, Plut. Lucull. c. 14) B.C. 96—B.C. 56, and, in consequence of dissensions amongst the royal family of Syria, became in B.C. 83 master of the whole Syrian monarchy from the Euphrates to the sea. He was defeated, his capital Tigranocerta being taken by Lucullus in B.C. 69 and 68. On the arrival of Pompeius he made overtures of submission to him, and was left in possession of Armenia proper.

l. 9. **nuper ipsi**)(*maiores nostri* l. 5.

l. 10. **iniuriis in socios nostros inferendis**] by his aggressive conquests in Cappadocia, Syria and Cilicia, Mommsen *Hist. R.* Vol. IV p. 47 ff.

in socios] cf. Liv. 24, 16, 1 *tanta vi se in hostem intulerunt*, 9, 20, 2 *in agros atque urbes Ausonum bellum intulerunt*, Cic. ep. ad fam. XV 2, 1 *bello in provinciam Syriam illato.* **bello—lacessisset**, 'had assumed the aggressive.' [prope = prope dixerim. J. S. R.]

l. 12. **Mithridatem**] Mithridates the great, whose daughter Cleopatra was married to Tigranes.

l. 17. **supplicem**] 'in the posture of a suppliant,' in apposition with *abiectum*, as predicate. Cf. above § 54 l. 13, or. p. Mil. *ego me plurimis pro te supplicem abieci.*

The story is told by Plutarch v. Pomp. c. 33: *ὁ δὲ βασιλεὺς Τιγράνης ἡμέρων τινα τῷ τρόπῳ καὶ πρᾴων νενθέτουν εἶναι τὸν Πομπήϊον, ἀναλαβὼν τοὺς φίλους καὶ συγγενεῖς αὐτὸς ἀπαντᾶν παρεσκεύαζεν ἑαυτόν. Ὡς δὲ ἦλθεν ἐπὶ τὸν χάρακα ('the camp'), ῥαβδοῦχοι δύο τοῦ Πομπηΐου προσελθόντες ἐκέλευσαν ἀποβῆναι τοῦ ἵππου καὶ πεζὸν ἐλθεῖν· οὐδένα γὰρ ἀνθρώπων ἐφ' ἵππου καθεζόμενον ἐν Ῥωμαϊκῷ στρατοπέδῳ πώποτε ὀφθῆναι. καὶ ταῦτα οὖν ὁ Τιγράνης ἐποίει καὶ τὸ ξίφος αὐτοῖς ἀπολυσάμενος παρεδίδου· καὶ τέλος, ὡς πρὸς αὐτὸν ἦλθε τὸν Πομπήϊον, ἀφελόμενος τὴν κίταριν ὥρμησε πρὸ τῶν ποδῶν θεῖναι καὶ καταβαλὼν ἑαυτόν, αἰσχιστα δὴ πάντων, προσπεσεῖν αὐτοῦ τοῖς γόνασιν. Ἀλλ' ὁ Πομπήϊος ἐφθη τῇ δεξιᾷ αὐτοῦ λαβόμενος προσαγαγέσθαι καὶ πλησίον ἱδρύσασθαι ἑαυτοῦ, τὸν δὲ υἱὸν ἐπὶ θάτερα, τῶν μὲν ἄλλων ἐφησε δεῖν αἰτιᾶσθαι Λεύκολλον, ὑπ' ἐκείνου γὰρ ἀφῃρῆσθαι Συρίαν, Φοινίκην, Κιλικίαν, Γαλατίαν, Σωφηνήν· ἃ δὲ ἔχρις ἑαυτοῦ διατετήρηκεν ἕξειν ἐκτίσαντα τοσὴν ἑξακισχίλια τάλαντα Ῥωμαίοις τῆς ἀδικίας· ἐπὶ τούτοις ὁ Τιγράνης ἠγάπησε.* See also Mommsen Hist. R. IV p. 127.

l. 19. **certis rebus imperatis**] Dio 36, 53 (36): *τῷ ὑστεραίᾳ Πομπήϊος διακούσας αὐτῶν* (Tigranes and his son) *τῷ μὲν πρεσβυτέρῳ τὴν πατρῴαν πᾶσαν ἀρχὴν ἀπέδωκεν· τὰ γὰρ προσκτηθέντα ὑπ' αὐτοῦ (ἦν δὲ ἄλλα τε καὶ τῆς Καππαδοκίας τῆς τε Συρίας μέρη, ἥ τε Φοινίκη καὶ ἡ Σωφηνὴ χώρα τοῖς Ἀρμενίοις πρόσορος οὐ σμικρὰ) παρείλετο αὐτοῦ καὶ προσέτι καὶ χρήματα αὐτὸν ἠνάγκασεν· τῷ δὲ νεωτέρῳ τὴν Σωφηνὴν μόνην ἀπένειμεν.*

l. 20. **constitutum—quam constrictum**] 'set up'—'than shut up,' i.e. placed on his throne—than if he had been confined to a narrow circle. **videri**] passive, 'should be seen,' Verr. IV § 100, V §§ 43, 86, 94, 137.

§ 59, l. 23. **acerrimum hostem in regnum recepit**] Plut. Luc. c. 22: *Τιγράνης δὲ Μιθριδάτην πρότερον μὲν οὐδ' ἰδεῖν ἠξίωσεν οὐδὲ προσειπεῖν, οἰκεῖον ἄνδρα, βασιλέως ἐκπεπτωκότα τηλικαύτης, ἀλλ' ἀτίμως καὶ ὑπερηφάνως ἀποστάντα περιεῖδεν αὐτὸν τρόπον τινὰ φρουρούμενον ἐν χωρίοις ἐλώδεσι καὶ νοσεροῖς· τότε δὲ σὺν τιμῇ καὶ φιλοφροσύνῃ μετεπέμψατο αὐτόν.*

l. 24. **de imperio**] i.e. utor orbi terrarum imperaret.

l. 26. **id**] sc. nomen, added to emphasize the contrast between his former and later conduct, as in § 69 l. 11 *illi* after *qui*. **ille** etc. adversative asyndeton, 'whereas that poor Cyprian king.'

l. 28. **suspicio durior**] i.e. of having supported the Cilician pirates. Cf. ep. ad fam. 12, 25 a, 7 *de Cn. Minucio rumores duriores erant.*

l. 29. **vivus—et videns**] an alliterative proverb, which is found in Lucr. III 1046 *tu vero dubitabis et indignabere obire, mortua cui vita est prope iam vivo atque videnti*, Ter. Eun. 1, 1, 28 *prudens sciens, vivus videnseque pereo*, Cic. p. Quinct. § 50 *huic acerbissimo vivo videntique funus ducitur.* So in Gr. ζῶν καὶ βλέπων, Aesch. Ag. v. 662.

l. 30. **cum victu ac vestitu**=cum omnibus suis gazis, another alliterative proverb, as appears from or. p. Quinct. § 19 *cuius...etiam victus vestitusque necessarius sub praeconem subiectus est.* On the fondness of the Latins for assonance particularly in proverbs see Seyffert Palaestr. Cic. p. 78 ed. 5. In the present passage it is employed to heighten the effect of the description. On the use of *cum* see § 82 l. 32.

en, cur ceteri etc.] an expression of ironical indignation, lit. 'behold, a reason why other kings should consider,' i.e. 'and what must other kings think of their security to see by this precedent that their crowns and fortunes may be at the disposal of a tribune and some hundred mercenaries?' Cf. Verr. II 1 § 93 *en cui tuos liberos committas*, 5 § 124 *en quod Tyndaritani libenter praedicent.*

l. 32. **hoc prodito exemplo**] cf. or. p. Flacc. § 25 *in hoc ego reo ne quod perniciosum exemplum prodatur pertimescam.* The usual phrase is *edere exemplum.*

P. 30, l. 1. **per tribunum aliquem etc.**] non sine pernicie hoc exemplum de Ptolemaeo ad posteritatem prodi asserit: quoniam fieri possit, ut reges alienentur a fide ac societate. Sed ut omnem auctoritatem Clodianae rogationis everteret, 'per tribunum aliquem et sescentas operas' inquit; quo manifestum sit, de hoc non populum Romanum iudicasse sed factionem quandam perditorum. SCHOL. BOB. **operas**] § 18 l. 1, § 28 l. 30. **sescentas**, used for an indefinite number.

CHAPTER XXVIII

§ 60, l. 1. **M. Catonis splendorem maculare**, 'to tarnish the lustre of M. Cato's name.' This was M. Porcius Cato Uticensis who was charged by Clodius' law with the annexation of the kingdom of Cyprus, as well as the regulation of the complicated municipal affairs of the Byzantines. 'The engaging Cato,' says Middleton, 'in such dirty work was a masterpiece and served many purposes of great use to Clodius; first to get rid of a troublesome adversary for the remainder of his magistracy; 2dly, to fix a blot on Cato himself; [and show, that the most rigid pretenders to virtue might be caught by a proper bait;] 3dly, to stop his mouth for the future, as he openly bragged, from clamouring against extraordinary commissions; 4thly, to oblige him, above all, to acknowledge the validity of his acts by his submitting to bear a part in them.' Vell. Paterc. II 45: *idem P. Clodius in tribunatu sub honorificentissimo ministeri titulo M. Catonem a republica relegavit: quippe legem tulit, ut is quaestor cum iure praetorio adiecto etiam quaestore mitteretur in insulam Cyprum ad spoliandum regno Ptolemaeum, omnibus morum vitiis eam contumeliam meritum*, Cic. p. dom. s. § 20, § 67, *M. Cato invisus quasi per beneficium Cyprum relegatur*, de prov. cons., Plut. Caes. c. 21, Cat. min. c. 34.

l. 4. **gravitas**] 'sterling worth,' 'solidity,' the chief part of the ideal Roman character.

l. 6. **quae in tempestate saeva quieta est etc.**] maxims of the Stoic philosophers, to whose school Cato belonged, though Epicurus speaks quite in the same way about his σοφός.

l. 7. **pulsa loco**, 'though driven from its ground,' 'dislodged,' i.e. banished, Cf. or. in Cat. II 1, 1 *loco ille motus est, cum est ex urbe depulsus.*

l. 8. **splendet per sese**] de off. 1 § 30 *aequitas lucet ipsa per se.* Dobree and Eberhard insert *exul* before *haeret.*

l. 9. **obsolescit**, 'is soiled, tarnished,' 'loses its polish.' Cf. Hor. Ep. 17, 46 *o nec paternis obsoleta sordibus*, Q. Curt. 9, 6, 14 *cito gloria obsolescit in sordidis hostibus*, Plin. Paneg. 4, 5 *enituit aliquis in bello sed obsolevit in pace.*

l. 11. **imponendum**] Plut. Cat. min. c. 34 ἀνακραγόντος δὲ τοῦ Κάτωνος, ὡς ἐνέδρα τὸ πρᾶγμα καὶ προπηλακισμός, οὐ χάρις ἐστίν, ὑπερηφανῶς ὁ Κλώδιος καὶ ὀλιγώρως 'Οὐκοῦν' εἶπεν 'εἰ μὴ χάριν ἔχεις, ἀνιώμενος πλεύσῃ,' καὶ προσελθὼν αὖθις εἰς τὸν δῆμον ἐκύρωσε νόμῳ τὴν ἔκπεμψιν τοῦ Κάτωνος, Dio 38, 30.

qui—palam dixerint, 'since they gave out publicly.'

l. 12. **linguam se evellisse**] i.q. elinguem reddidisse, or. p. Flacc. § 22, 'had stopped his mouth' for the future against the tribunician lawe of the year B.C. 58.

l. 13. **extraordinarias potestates**] Cato's commission was *extraordinaria* inasmuch as (1) he was *homo privatus*, having been quaestor only and tribune of the people, (2) because it was given him *nominatim* (or. de dom. sua § 21: *ad hunc hominem imperium extra ordinem nominatim rogatione tua detulisti*), (3) because it combined two different objects (Plut. Cato c. 34 *ὡς δὲ μικρὸν ἔργον αὐτῷ Κύπρον καὶ Πτολεμαῖον ἀναβεῖν ἔτι καὶ Βυζαντίων φυγάδας καταγαγεῖν προστάξαι βουλόμενος ὅτι πλεῖστον χρόνον ἐκποδὼν ἔρχοντος αὐτοῦ γενέσθαι τὸν Κάτωνα*).

l. 15. **manere**] i. e. superesse, durare, 'still continues.' **hoc maiorem, quod**, 'all the greater, because,' § 52 l. 8.

l. 17. **aliquid**] § 28 l. 22. **auctoritate sua**, 'by his personal influence' in opposition to *voce ipsa ac dolore*, 'loud expression of indignation.' **desperasset**, 'no longer hoped.'

l. 19. **post meum discessum**] Plutarch therefore must be mistaken, when he says *ὁ δὲ Κλώδιος οὐδὲ Κικέρωνα καταλύσειν φήσας Κάτωνος παρόντος*.

l. 20. **fiens**] § 26 l. 19. **meum et rei publicae casum**] § 33, § 42 l. 19.

l. 22. **provinciae paeniteret**] cuius mercede inductus cum Clodio de mea pernicie consenserat. MANUTIUS.

§ 61, l. 23. **quasi vero**] to correct an erroneous supposition, or. p. Planc. § 61 l. 10.

in alias leges] Significat Iulias C. Caesaris leges, in quas cum diu perseverasset non iurare, ad extremum coactus suasionibus plurimorum videtur accommodasse consensum. SCHOL. BOB. Cf. Dio 38, 7. Plutarch Cat. c. 32 says that there was a clause in the land bill, by which all the senators were required to swear that they would maintain it and we learn from a letter of Cic. (ad Att. II 18) that candidates for state offices were also compelled by the land bill to swear that they would never say anything about the land being held on any other terms than those fixed by the Julian laws (see Introd. to or. p. Planc. p. XIX). He then continues: *ὁ δὲ μάλιστα συμπείσας καὶ ἀγαγὼν ἐπὶ τὸν ὅρκον ἦν Κικέρων ὁ ῥήτωρ παραινῶν καὶ διδάσκων, ὡς τάχα μὲν οὐδὲ δίκαιόν ἐστι τοῖς ἐγνωσμένοις κωλῦ μόνον εἶσθαι δεῖν ἀπειθεῖν, ἐν δὲ ἀδυνάτῳ τῷ μαστῆσαί τι τῶν γεγενῆσθαι ἀφειδεῖν ἑαυτοῦ πανταπασιν ἀνύητον καὶ μανικόν· ἔσχατον δὲ κακῶν, εἰ δι' ἓν ἕκαστα πράττει πόλιν προίμενος τοῖς ἐπιβουλεύουσιν ὅσπερ δεσμὸνοι ἀπαλλάξεται τῶν ὑπὲρ αὐτῆς ἀγώνων· καὶ γάρ, εἰ μὴ Κάτων τῆς Ῥώμης, ἀλλ' ἡ Ῥώμη δεῖται Κάτωνος.*

l. 24. **non offert se ille istis temeritatibus**, 'he is not the man to sacrifice himself (his life) to those rash actions of his enemies.' This is the answer to a question implied in *cur igitur rogationi non paruit*, which includes also the question 'why did he not choose to go into exile rather than obey?'

l. 26. **se civi rem p. privet**] according to his famous saying:—*εἰ μὴ Κάτων τῆς Ῥώμης, ἀλλ' ἡ Ῥώμη δεῖται Κάτωνος.*

l. 27. **cum esset designatus trib. pl.**] i. e. on the 5th of December A.U.C. 63, which Cic. (or. p. Flacco § 102) calls *diem vere natalem huius urbis aut certe salutarem*. Vell. Paterc. 2, 35, 3 *hic* (M. Cato) *tribunus plebis designatus et adhuc admodum adulescens, cum alii euaderent, ut per municipia Lentulus coniuratique custodirentur, paene inter ultimos interrogatus sententiam, tanta vi animi atque ingenii invectus est in coniurationem, eo ardore oris orationem omnium lenitatem suadentium societate consili suspectam fecit, sic impendentia ex commutatione status publici pericula exposuit, ita consulis virtutem amplificavit, ut universus senatus in eius sententiam transiret maiorque pars ordinis eius Ciceronem prosequerentur domum.* Cato's speech is given by Sallust Cat. c. 52; it was the uncompromising opinions which he expressed on this occasion that marked him out as a leader of the optimates.

l. 28. **cuius invidiam ... sibi praestandam videbat**, 'for the unpopularity of which he saw he must be answerable.' Cf. § 38 l. 16, § 43 l. 5.

l. 31. **dux, auctor, actor**, 'leader, instigator, perpetrator:' cf. Caesar b. c. I 26 *illo auctore atque agente*.

non quo—sed] common in Cic. for *non quo—sed quod* (§ 87 l. 14) (*quia*); cf. my note on or. p. Planc. § 78, and add to the exx. there quoted, ep. ad Att. 16, 15, 5; 4, 15, 7; or. in Verr. 3 § 39, or. p. Flacco § 9, Acad. II § 37. **suum**, 'personal.'

CHAPTER XXIX

P. 31, § 62, l. 3. **ipsius**] for rhetorical effect instead of *eius* (Halm), unless we read with Eberhard *ipse eius* in opp. to the time of his being *designatus tr. pl.* § 61 l. 27.

l. 5. **meministis illum diem**] the day on which the tribune Q. Metellus Nepos made an attempt to procure a popular vote entrusting Pompeius (then in Asia) with the conduct of the war against Catiline in Italy, but failed to do so principally because of the energetic resistance of his colleague Cato. Plut. Cat. min. c. 26 *ἐντεῦθεν εἰς τὴν δημαρχίαν ἐμπεσὼν ὁ Μέτελλος ἐκκλησίας τε θορυβώδεις συνῆγε καὶ νόμων ἔγραψε Πομπηΐῳ Μάγνῳ ἦναι κατὰ τάχος μετὰ τῶν δυνάμεων εἰς Ἰταλίαν καὶ παραλαβόντα σώζειν τὴν πόλιν ὡς ὑπὸ Κατιλίνᾳ κινδυνεύουσαν. Ἦν*

l. 5. **quererentur,** 'should they have complained,' 'were they to complain?' See n. to Cic. de off. III § 88 l. 4.

l. 6. **nullo meo crimine,** 'without any charge being laid to my account,' § 36 l. 20, Madv. Gr. § 277.

l. 7. **non modo...non...sed ne...quidem]** Madvig Gr. § 461 b, Kenn. Gr. p. 326 *b*. It is only when the two clauses have a common predicate that *non modo* takes the place of *non modo non* in the first, § 20 l. 1, § 73 l. 10.

l. 8. **cesseram]** referring to *nullo meo crimine, cesseram enim non ob delictum aliquod sed etc.* **si...voltis,** 'if you will have it so.'

l. 9. **si commoveri omnia videbantur,** 'if a general revolution was expected.'

l. 11. **societas magistratuum]** the compact between the consuls and tribunes of the people and Clodius.

l. 12. **rei publicae,** 'to the general good,' 'the common weal.'

§ 65, l. 12. **de capite civis]** as if *lex* followed. Cf. or. in Pis. § 30 *illam legem...quae erat contra omnes leges indemnati civis atque integri capitis bonorumque tribunicia proscriptio.*

l. 13. **cuius modi civis]** sc. *sit.* **proscriptio]** see n. to § 46 l. 11.

l. 14. **sacratis legibus]** § 16 l. 6, § 79 l. 20.

l. 15. **sanctum esset]** see my n. on Planc. § 47 l. 6. **privilegium,** 'any exceptional bill' in favour of or against an individual: or. de domo sua § 43 *vetant leges sacratae, vetant XII tabulae, leges privis hominibus irrogari, id est enim privilegium;* Aul. Gell. X 20, 4 *quo circa* (iussa de singulis concepta) *privilegia potius vocari debent, quia veteres priva dixerunt, quae nos singula dicimus,* de legg. III § 45 *in privatos homines leges ferri noluerunt: id est enim privilegium: quo quid est iniustius? cum legis haec vis sit, ut sit scitum et iussum in omnis? ferri de singulis nisi centuriatis comitiis noluerunt. descriptus enim populus censu, ordinibus, aetatibus, plus adhibet ad suffragium consilii quam fuse in tribus convocatus;* ib. § 11 *privilegia ne inroganto; de capite civis nisi per maximum comitiatum...ne ferunto.*

l. 18. **quantum in illis...fuit,** 'so far as depended on those twin curses of this empire.'

l. 19. **operas]** § 59 l. 1.

l. 20. **trib. pl. concilio,** 'by a packed meeting of a tribune of the people,' in opp. to the *comitia* of the whole people. Cf.

Laelius Felix ap. A. Gell. 15, 27, 4 *is qui non ut universum populum, sed partem aliquam adesse iubet, non comitia sed concilium edicere debet:* Cic. p. dom. sua § 79 *consulari homini P. Clodius, eversa re publica, civitatem adimere potuit, concilio advocato, conductis operis non solum egentium sed etiam servorum.* The root of *concilium* is *calare* = καλεῖν, not *ciere.*

§ 66, l. 21. **quae vero promulgata]** as opposed to *lata* § 55 l. 22. **fuerint]** the subjunctive of oblique question dependent upon *quid dicam.* For the tense see n. on § 55 l. 23.

l. 22. **conscripta,** 'written' as opp. to *promissa* 'verbal promises.' [I think rather 'what plans were sketched,' cf. below l. 26 *discripta.* J. S. R.] **[sperata—cogitata,** 'what hopes were indulged, what imaginations;' the contrast is practically the same as that between *sperare* and *optare,* for which see my n. on or. p. Balbo § 9 and cf. Liv. 4, 15, 6. Cf. l. 25 *optari.* J. S. R.]

l. 23. **orbi terrae]** for *in orbe terrae,* a local ablative, found only in this expression after the analogy of *ruri, domi, militiae;* so in the best texts or. p. dom. s. § 24, Verr. IV § 82.

l. 26. **attributa atque discripta,** 'assigned and apportioned.' Cf. § 137 *discriptionem civitatis.* The testimony of MSS and inscriptions is in favour of this form and not *describere* when the meaning is 'to divide.' See n. on de off. I § 51 l. 33.

l. 27. **provincia,** 'sphere of activity,' 'department of the public service.' Mr Watson has a good note on the meaning of this word in his Select Letters of Cicero p. 118 note n, and on that of *imperium* p. 120 note z, ed. 2.

flandae, 'casting,' 'coining.' *Flare pecuniam* = *pec. flando efformare* was the technical term for 'casting' metals by blowing. Cf. Varr. R. R. 2, 1, 9 *aes antiquissimum, quod est flatum, pecore est notatum,* id. ap. A. Gell. N. A. 2, 10, 3 *flata signataque pecunia.* So Vitruv. de arch. 2, 7, 4 *in aeris flatura,* Plin. 7, 56 § 197, *flaturae argentariae,* Wilmanns cxx. Inscr. 1378 *d.* The word is not used like *conflare* in a metaph. sense 'to scrape together' (see Reid on or. p. Sull. § 13). The letters—A·A·A·F·F·, abbreviations of *auro argento aeri flando feriundo,* appear frequently upon coins after the names of individual commissioners of the mint (*triumviri monetales*). See the cuts in Ramsay R. A. p. 414 and p. 416. [*flandae* must refer to some project for debasing the coinage. J. S. R.]

l. 29. **latior,** 'of any extent.' See cr. n.

l. 4. **Antiochum Magnum**] Antiochus, the King of Syria, who was defeated by the Romans at Thermopylae in B.C. 191, and again at Mt Sipylus near Magnesia by L. Scipio in B.C. 190, when peace was granted him on condition of his ceding all his dominions E. of Mount Taurus. The terms imposed on Antiochus are given by Livius 38, 38, 4: *excedito urbibus agris vicis castellis cis Taurum montem usque ad Halyn amnem et a valle Tauri usque ad iuga, qua in Lycaoniam vergit:* that is, he was compelled to cede all his possessions in Europe and all the territory in Asia Minor to the west of the river Halys throughout its course, and of the mountain-chain of the Taurus, which separates Cilicia and Lycaonia, so that he retained nothing in the Anatolian peninsula but Cilicia. Mommsen Rom. Hist. Bk II ch. 9 Vol. II p. 291.

Magnum—magna] an instance of paronomasia, to heighten effect, which reminds us of Homer's κεῖτο μέγας μεγαλωστί (Il. XVI 776), and Virgil's *ipse gravis graviter ad terram pondere vasto concidit*, Aen. V 447.

l. 6. **intra montem Taurum**] i.e. from the point of view of Antiochus, *ne montem T. egrederetur.* **regnare**, 'to be king.'

l. 7. **qua illum multarunt**] Cf. Cic. or. p. Balb. § 41 *Hispanis agris stipendioque multatis*, Tusc. V § 106 *multandos bonis exules*, Tac. Hist. I c. 66 *publice armis multati.* **Attalo**] a slip or historical error for Eumenes II, son of Attalus I, King of Pergamum B.C. 197—B.C. 158, who was the ally of the Romans against Philip and the Achaei. His fidelity and services to Rome were rewarded by the cession to him of several provinces in Asia and the Chersonese with Lysimachia in Europe (Mommsen *l. c.* III p. 293). Eumenes was succeeded by his brother Attalus II, who also fought on the side of the Romans against Antiochus.

l. 8. **Tigrane**] Tigranes was king of Armenia and several of the adjacent provinces (*βασιλεὺς βασιλέων* as he called himself on coins Syr. c. 48, Plut. Lucull. c. 14) B.C. 96—B.C. 56, and, in consequence of dissensions amongst the royal family of Syria, became in B.C. 83 master of the whole Syrian monarchy from the Euphrates to the sea. He was defeated, his capital Tigranocerta being taken by Lucullus in B.C. 69 and 68. On the arrival of Pompeius he made overtures of submission to him, and was left in possession of Armenia proper.

l. 9. **nuper ipsi**)(*maiores nostri* l. 5.

l. 10. **iniuriis in socios nostros inferendis**] by his aggressive conquests in Cappadocia, Syria and Cilicia, Mommsen *R.* Vol. IV p. 47 *ff.*

in socios] cf. Liv. 24, 16, 1 *tanta vi se in hostem intulerunt*, 9, 25, 2 *in agros atque urbes Ausonum bellum intulerunt*, Cic. ep. ad fam. XV 2, 1 *bello in provinciam Syriam illato.* **bello—lacessisset**, 'had assumed the aggressive.' [**prope**=prope dixerim. J. S. B.]

l. 12. **Mithridatem**] Mithridates the great, whose daughter Cleopatra was married to Tigranes.

l. 17. **supplicem**] 'in the posture of a suppliant,' in apposition with *abiectum*, as predicate. Cf. above § 54 l. 13, or. p. Mil. *ego me plurimis pro te supplicem abieci.*

The story is told by Plutarch v. Pomp. c. 33: ὁ δὲ βασιλεὺς Τιγράνης ἥμερόν τινα τῷ τρόπῳ καὶ πρᾶον πυθόμενος εἶναι τὸν Πομπήϊον, ἀναλαβὼν τοὺς φίλους καὶ συγγενεῖς αὐτὸς ἐπορεύετο παραδώσων ἑαυτόν. Ὡς δὲ ἦλθεν ἱππότης ἐπὶ τὸν χάρακα ('the camp'), ῥαβδοῦχοι δύο τοῦ Πομπηΐου προσελθόντες ἐκέλευσαν ἀποβῆναι τοῦ ἵππου καὶ πεζὸν ἐλθεῖν· οὐδένα γὰρ ἀνθρώπων ἐφ' ἵππου καθεζόμενον ἐν Ῥωμαϊκῷ στρατοπέδῳ πώποτε ὀφθῆναι. καὶ ταῦτα οὖν ὁ Τιγράνης ἐπείθετο καὶ τὸ ξίφος αὐτοῖς ἀπολυσάμενος παρεδίδου· καὶ τέλος, ὡς πρὸς αὐτὸν ἦλθε τὸν Πομπήϊον, ἀφελόμενος τὴν κίταριν ὥρμησε πρὸ τῶν ποδῶν θεῖναι καὶ καταβαλὼν ἑαυτόν, αἰσχιστα δὴ πάντων, προσπεσεῖν αὐτοῦ τοῖς γόνασιν. Ἀλλ' ὁ Πομπήϊος ἔφθη τῆς δεξιᾶς αὐτοῦ λαβόμενος προσαγαγέσθαι· καὶ πλησίον ἱδρύσασθαι ἑαυτοῦ, τὸν δὲ υἱὸν ἐπὶ θάτερα, τῶν μὲν ἄλλων ἔφησε δεῖν αἰτιᾶσθαι Λεύκολλον, ὑπ' ἐκείνου γὰρ ἀφῃρῆσθαι Συρίαν, Φοινίκην, Κιλικίαν, Γαλατίαν, Σωφηνήν· ἃ δὲ ἄχρις ἑαυτοῦ διατετήρηκεν ἔξειν ἐκτίσαντα ποινὴν ἑξακισχίλια τάλαντα Ῥωμαίοις τῆς ἀδικίας· ἐπὶ τούτοις ὁ Τιγράνης ἠγάπησε. See also Mommsen Hist. R. IV p. 127.

l. 19. **certis rebus imperatis**] Dio 36, 53 (36): τῇ ὑστεραίᾳ Πομπήϊος διακούσας αὐτῶν (Tigranes and his son) τῷ μὲν πρεσβυτέρῳ τὴν πατρῴαν πᾶσαν ἀρχὴν ἀπέδωκεν· τὰ γὰρ προσκτηθέντα ὑπ' αὐτοῦ (ἦν δὲ ἄλλα τε καὶ τῆς Καππαδοκίας τῆς τε Συρίας μέρη, ἥ τε Φοινίκη καὶ ἡ Σωφηνὴ χώρα τοῖς Ἀρμενίοις πρόσορος οὐ σμικρὰ) παρείλετο αὐτοῦ καὶ προσέτι καὶ χρήματα αὐτὸν ἤτησεν· τῷ δὲ νεωτέρῳ τὴν Σωφηνὴν μόνην ἀπένειμεν.

l. 20. **constitutum—quam constrictum**] 'set up'—'than shut up,' i.e. placed on his throne—than if he had been confined to a narrow circle. **videri**] passive, 'should be seen,' Verr. IV § 100, V §§ 43, 86, 94, 137.

§ 59, l. 23. **acerrimum hostem in regnum recepit**] Plut. Luc. c. 22: Τιγράνης δὲ Μιθριδάτην πρότερον μὲν οὐδ' ἰδεῖν ἠξίωσεν οὐδὲ προσειπεῖν, οἰκεῖον ἄνδρα, βασιλείας ἐκπεπτωκότα τηλικαύτης, ἀλλ' ἀτίμως καὶ ὑπερηφάνως ἀποστάτῃ περιεῖδεν αὐτὸν τρόπον τινὰ φρουρούμενον ἐν χωρίοις ἕλώδεσι καὶ νοσεροῖς· τότε δὲ σὺν τιμῇ καὶ φιλοφροσύνῃ μετεπέμψατο αὐτόν.

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l. 17. **aliquid**] § 28 l. 22. **auctoritate sua**, 'by his personal influence' in opposition to *voce ipsa ac dolore*, 'loud expression of indignation.' **desperasset**, 'no longer hoped.'

l. 19. **post meum discessum**] Plutarch therefore must be mistaken, when he says ὁ δὲ Κλώδιος οὐδὲ Κικέρωνα καταλύσειν ἤλπιζε Κάτωνος παρόντος.

l. 20. **fiens**] § 26 l. 19. **meum et rei publicae casum**] § 33, § 42 l. 19.

l. 22. **provinciae paeniteret**] cuius mercede inductus cum Clodio de mea pernicie consenserat. MANUTIUS.

§ 61, l. 23. **quasi vero**] to correct an erroneous supposition, or. p. Planc. § 61 l. 10.

in alias leges] Significat Iulias C. Caesaris leges, in quas cum diu perseverasset non iurare, ad extremum coactus concionibus plurimorum videtur accommodasse consensum. Schol. bon. Cf. Dio 38, 7. Plutarch Cat. c. 32 says that there was a clause in the land bill, by which all the senators were required to swear that they would maintain it and we learn from a letter of Cic. (ad Att. II 18) that candidates for state offices were also compelled by the land bill to swear that they would never say anything about the land being held on any other terms than those fixed by the Julian laws (see Introd. to or. p. Planc. p. XIX). He then continues: ὁ δὲ μάλιστα συμπείσας καὶ ἀγαγὼν ἐπὶ τὸν ὅρκον ἦν Κικέρων ὁ ῥήτωρ παραινῶν καὶ διδάσκων, ὡς τάχα μὲν οὐδὲ δίκαιόν ἐστι τοῖς ἐγνωσμένοις μόνον οἴεσθαι δεῖν ἀπειθεῖν, ἐν δὲ ἀδυνάτῳ τῷ μεταστῆσαί τι τῶν γεγονότων ἀφειδεῖν ἑαυτοῦ παντάπασιν ἀνόητον καὶ μανικόν· ἔσχατον δὲ κακῶν, εἰ δι' ἣν ἅπαντα πράττει πόλιν προέμενος τοῖς ἐπιβουλεύουσιν ὥσπερ ἀσμένως ἀπαλλάξεται τῶν ὑπὲρ αὐτῆς ἀγώνων καὶ γὰρ, εἰ μὴ Κάτων τῆς 'Ρώμης, ἀλλ' ἡ 'Ρώμη δεῖται Κάτωνος.

l. 24. **non offert se ille istis temeritatibus**, 'he is not the man to sacrifice himself (his life) to those rash actions of

his enemies.' This is the answer to a question implied in *cur igitur rogationi non paruit*, which includes also the question 'why did he not choose to go into exile rather than obey?'

l. 26. **se civi rem p. privet**] according to his famous saying:—εἰ μὴ Κάτων τῆς 'Ρώμης, ἀλλ' ἡ 'Ρώμη δεῖται Κάτωνος.

l. 27. **cum esset designatus trib. pl.**] i. e. on the 5th of December B.C. 63, which Cic. (or. p. Flacco § 102) calls *diem vere natalem huius urbis aut certe salutarem*. Vell. Paterc. 2 35, 3 *hic* (M. Cato) *tribunus plebis designatus et adhuc admodum adulescens, cum alii suaderent, ut per municipia Lentulus coniuratique custodirentur, paene inter ultimos interrogatus sententiam, tanta vi animi atque ingeni invectus est in coniurationem, eo ardore oris orationem omnium lenitatem suadentium societate consili suspectam fecit, sic impendentia ex commutatione status publici pericula exposuit, ita consulis virtutem amplificavit, ut universus senatus in eius sententiam transiret maiorque pars ordinis eius Ciceronem prosequerentur domum.* Cato's speech is given by Sallust Cat. c. 52; it was the uncompromising opinions which he expressed on this occasion that marked him out as a leader of the optimates.

l. 28. **cuius invidiam ... sibi praestandam videbat**, 'for the unpopularity of which he saw he must be answerable.' Cf. § 38 l. 16, § 43 l. 5.

l. 31. **dux, auctor, actor**, 'leader, instigator, perpetrator:' cf. Caesar b. c. I 26 *illo auctore atque agente*.

non quo—sed] common in Cic. for *non quo—sed quod* (§ 87 l. 14) (*quia*); cf. my note on or. p. Planc. § 73, and add to the exx. there quoted, ep. ad Att. 16, 15, 5; 4, 15, 7; or. in Verr. 3 § 39, or. p. Flacco § 9, Acad. II § 37. **suum**, 'personal.'

CHAPTER XXIX

P. 31, § 62, l. 3. **ipsius**] for rhetorical effect instead of *eius* (Halm), unless we read with Eberhard *ipse eius* in opp. to the time of his being *designatus tr. pl.* § 61 l. 27.

l. 5. **meministis illum diem**] the day on which the tribune Q. Metellus Nepos made an attempt to procure a popular vote entrusting Pompeius (then in Asia) with the conduct of the war against Catiline in Italy, but failed to do so principally because of the energetic resistance of his colleague Cato. Plut. Cat. min. c. 26 ἐντεῦθεν εἰς τὴν δημαρχίαν ἐμπεσὼν ὁ Μέτελλος ἐκκλησίας τε θορυβώδεις συνῆγε καὶ νόμον ἔγραψε Πομπῆϊον Μάγνον ἰέναι κατὰ τάχος μετὰ τῶν δυνάμεων εἰς 'Ιταλίαν καὶ παραλαβόντα σώζειν τὴν πόλιν ὡς ὑπὸ Κατιλίνα κινδυνεύουσαν. 'Η

δὲ τοῦτο λόγοι εὑρετής, ἔργον δὲ τοῦ νόμου καὶ τέλος γχειρίσαι τὰ πράγματα Πομπηίῳ καὶ παραδοῦναι τὴν ἡγεμονία'. Cf. Mommsen R. H. Vol. IV p. 198 ff.

l. 6. **templo**] i.e. of Castor and Pollux; § 84 l. 27, § 79 l. 21, § 88 l. 9, § 85 l. 10. Plut. l. c. c. 27: ὡς οὖν ἐπιστὰς ὁ Κάτων κατεῖδε τὸν νεὼν τῶν Διοσκούρων ὅπλοις π ριεχόμενον καὶ τὰς ἀναβάσεις φρουρουμένας ὑπὸ μονομάχων αὐτὸν δὲ καθήμενον ἄνω μετὰ Καίσαρος (who being praetor at the time supported the bill) τὸν Μέτελλον, ἐπιστρέψας πρὸς τοὺς φίλους 'ὦ θρασίστ' εἶπεν 'ἀνθρώπων καὶ δειλοῦ, ὃς κα' ἐνὸς ἀνδρὸς καὶ γυμνοῦ τοσούτους ἐστρατολόγησεν.' H. A. Kooh holds with Manutius that the 'Rostra' which were also called *templum* (§ 75 l. 14) are meant here.

l. 9. **adiit...periculum**] § 23 l. 7.

l. 10. **quanta**=quam iusta.

l. 11. **non est necesse**] this he says for fear of offending Pompeius. **Cypriae rogationi**, 'bill concerning Cyprus.'

l. 12. **haereret rei p.**] the dat. is less frequent than the abl. with or without *in*; cf. or. p. Rosc. com. § 17 *potest hoc homini huic haerere peccatum?*

l. 13. **regno iam publicato**, 'not till after the confiscation of his kingdom.'

l. 15. **quod**] as if *illud* had preceded *rogatum*. Cf. § 73 *ut etiamsi esset iure rogatum, tamen vim habere non posset.*

dubitatis quin ei vis esset adlata, 'do you doubt that force would have been employed to make him?' It rarely happens that the conjunctive of the simple pluperfect or imperfect stands both hypothetically and also for some other reason (as here because of *quin*): and it can only happen in the passive. Madv. Gr. § 381. [The usage is really analogous to the use of present for future. Here *esset adlata* is strictly imperfect, 'was on the way to be employed.' Precisely the same explanation applies to *expelleretur* l. 22. J. S. R.]

§ 63, l. 19. **quod...boni**] Madv. Gr. § 285 b, Reid on or. p. Sull. § 58, Roby II 1296 (*b*), Kenn. Gr. p. 419. By *boni* is meant the enrichment of the treasury: by *malis* a bad transaction, viz. the annexation of Cyprus. Cf. Philipp. II § 117 *ex plurimis malis quae ab illo rei publicae sunt inusta hoc tamen boni exstitit.*

l. 21. **per se**, as a man of unflinching rectitude; **per alios**, with whom the interests of the state might suffer by their misappropriation of some of the plunder.

l. 22. **expelleretur**] see above l. 15 n.

l. 23. **facile pateretur**, 'would have been content.' See n. to or. p. Planc. § 62 l. 31. **superiore anno**] consule C. Caesare (B.C. 48), cuius actionibus Cato nec adversari destrictius volebat nec tamen consentire poterat. SCHOL. BOB.

l. 24. **senatu caruisset**, 'had been cut off from the senate,' Acad. II § 1 *caruit rebus urbanis*, below § 145 l. 18. **quo si**] for *ubi si eo* by a common attraction of the relative into the subordinate sentence. **tamen**=saltem, certe, i.e. when everything else failed.

l. 26. **me expulso**] explanatory of *tum:* as in § 118 *tum petenti iam*, de amic. § 53 *tum exsulantem se intellexisse*, **meo nomine**, 'in my person.'

l. 27. **sententia sua condemnata**, 'after his vote about the conspirators was condemned,' ipse enim Cato tribunus pl. designatus Lentulum et Cethegum et ceteros censuerat capite puniendos. SCHOL. BOB.

l. 28. **ille vero**, 'he certainly.' **cui nos**] sc. **cessimus**.

l. 30. **luctum—dolorem**] *luctus* is grief as expressed by outward signs, as in the dress, *dolor* is grief as felt inwardly: cf. ep. ad Att. XII 28, 2, or. p. Balb. § 60 *dolorem alii, nos luctum maeroremque suscepimus.*

CHAPTER XXX

§ 64, l. 32. **his de tot...iniuriis**] Zumpt Gr. § 324. On the use of *de* with its dependent case after the substantive *querella* see n. to Cic. de off. II § 19 l. 21. **in socios**, the people of Pessinus; **in reges**, Ptolemaeus of Cyprus; **in civitates liberas**, Byzantium, see c. 26.

P. 32, l. 1. **querella**] so we must write and not *querela; loquella* and not *loquela; luella* and not *luela:* but *cautela, suadela, tutela, corruptela, custodela.* See Munro Intr. to Lucretius II p. 33.

l. 2. **in eius**] 'a lively asyndeton' says Halm 'for *in eius enim.*' **tutela**] because the consuls presided over the senate, to which exclusively belonged the administration of foreign affairs; see n. on § 56 l. 9.

l. 4. **quamquam**=καίτοι 'and yet,' 'however,' n. on or. p. Planc. § 3 l. 3. **quis audiret**, 'who would have listened, if they had chosen to complain ever so loudly,' when the senate were powerless, and the people the slaves of Clodius?

l. 5. **quererentur**, 'should they have complained,' 'were they to complain?' See n. to Cic. de off. III § 88 l. 4.

l. 6. **nullo meo crimine**, 'without any charge being laid to my account,' § 36 l. 20, Madv. Gr. § 277.

l. 7. **non modo...non...sed ne...quidem**] Madvig Gr. § 461 b, Kenn. Gr. p. 326 *b*. It is only when the two clauses have a common predicate that *non modo* takes the place of *non modo non* in the first, § 20 l. 1, § 73 l. 10.

l. 8. **cesseram**] referring to *nullo meo crimine, cesseram enim non ob delictum aliquod sed etc.* **si...voltis**, 'if you will have it so.'

l. 9. **si commoveri omnia videbantur**, 'if a general revolution was expected.'

l. 11. **societas magistratuum**] the compact between the consuls and tribunes of the people and Clodius.

l. 12. **rei publicae**, 'to the general good,' 'the common weal.'

§ 65, l. 12. **de capite civis**] as if *lex* followed. Cf. or. in Pis. § 30 *illam legem...quae erat contra omnes leges indemnati civis atque integri capitis bonorumque tribunicia proscriptio.*

l. 13. **cuius modi civis**] sc. *sit.* **proscriptio**] see n. to § 46 l. 11.

l. 14. **sacratis legibus**] § 16 l. 6, § 79 l. 20.

l. 15. **sanctum esset**] see my n. on Planc. § 47 l. 6. **privilegium**, 'any exceptional bill' in favour of or against an individual: or. de domo sua § 43 *vetant leges sacratae, vetant XII tabulae, leges privis hominibus irrogari, id est enim privilegium;* Aul. Gell. X 20, 4 *quo circa* (iussa de singulis concepta) *privilegia potius vocari debent, quia veteres priva dixerunt, quae nos singula dicimus*, de legg. III § 45 *in privatos homines leges ferri noluerunt: id est enim privilegium: quo quid est iniustius? cum legis haec vis sit, ut sit scitum et iussum in omnis? ferri de singulis nisi centuriatis comitiis noluerunt. descriptus enim populus censu, ordinibus, aetatibus, plus adhibet ad suffragium consilii quam fuse in tribus convocatus;* ib. § 11 *privilegia ne inroganto; de capite civis nisi per maximum comitiatum...ne ferunto.*

l. 18. **quantum in illis...fuit**, 'so far as depended on those twin curses of this empire.'

l. 19. **operas**] § 59 l. 1.

l. 20. **trib. pl. concilio**, 'by a packed meeting of a tribune of the people,' in opp. to the *comitia* of the whole people. Cf. Laelius Felix ap. A. Gell. 15, 27, 4 *is qui non ut universum populum, sed partem aliquam adesse iubet, non comitia sed concilium edicere debet:* Cic. p. dom. sua § 79 *consulari homini P. Clodius, eversa re publica, civitatem adimere potuit, concilio advocato, conductis operis non solum egentium sed etiam servorum.* The root of *concilium* is *calare*=καλεῖν, not *ciere.*

§ 66, l. 21. **quae vero promulgata**] as opposed to *lata* § 55 l. 22. **fuerint**] the subjunctive of oblique question dependent upon *quid dicam.* For the tense see n. on § 55 l. 23.

l. 22. **conscripta**, 'written' as opp. to *promissa* 'verbal promises.' [I think rather 'what plans were sketched,' cf. below l. 26 *discripta.* J. S. B.] **[sperata—cogitata**, 'what hopes were indulged, what imaginations;' the contrast is practically the same as that between *sperare* and *optare*, for which see my n. on or. p. Balbo § 9 and cf. Liv. 4, 15, 6. Cf. l. 25 *optari.* J. S. B.]

l. 23. **orbi terrae**] for *in orbe terrae*, a local ablative, found only in this expression after the analogy of *ruri, domi, militiae;* so in the best texts or. p. dom. s. § 24, Verr. IV § 82.

l. 26. **attributa atque discripta**, 'assigned and apportioned.' Cf. § 137 *discriptionem civitatis.* The testimony of MSS and inscriptions is in favour of this form and not *describere* when the meaning is 'to divide.' See n. on de off. I § 51 l. 33.

l. 27. **provincia**, 'sphere of activity,' 'department of the public service.' Mr Watson has a good note on the meaning of this word in his Select Letters of Cicero p. 118 note B, and on that of *imperium* p. 120 note E, ed. 2.

flandae, 'casting,' 'coining.' *Flare pecuniam* = *pec. flando efformare* was the technical term for 'casting' metals by blowing. Cf. Varr. R. R. 2, 1, 9 *aes antiquissimum, quod est flatum, pecore est notatum*, id. ap. A. Gell. N. A. 2, 10, 3 *flata signataque pecunia.* So Vitruv. de arch. 2, 7, 4 *in aeris flatura*, Plin. 7, 56 § 197, *flaturae argentariae*, Wilmanns exx. Inscr. 1378 *d.* The word is not used like *conflare* in a metaph. sense 'to scrape together' (see Reid on or. p. Sull. § 13). The letters—A·A·A·F·F·, abbreviations of *auro argento aeri flando feriundo*, appear frequently upon coins after the names of individual commissioners of the mint (*triumviri monetales*). See the cuts in Ramsay R. A. p. 414 and p. 416. [*flandae* must refer to some project for debasing the coinage. J. S. B.]

l. 29. **latior**, 'of any extent.' See cr. n.

l. 32. **pecuniam** = *ornationem provinciae*, allowance in taking possession of a province.

P. 33, l. 1. **damnatis de vi**] the Catilinarians, who had been condemned in B.C. 62 under the *lex Plautia de vi* and had left the country. That the democratical party had begun to talk about their restoration (*restitutio in integrum*) as early as B.C. 59 appears from the speech pro Flacco § 96 *litemus igitur Lentulo, parentemus Cethego, revocemus eiectos.*

l. 2. **populari**, 'democratic,' as Clodius is called also or. in Pis. § 89 *quid? quod populari illi sacerdoti sescentos ad bestias amicos socioque misisti?*

CHAPTER XXXI

§ 67, l. 5. **aliquando**, 'at length and high time too,' see n. on § 18 l. 22. **serius quam...vellet**, i.e. *si liceret*, 'later than he would wish,' if he had the choice, if it were possible for his wish to be fulfilled. An incomplete conditional sentence such as is common in all languages, see Reid n. on or. p. Sull. § 1 l. 1, below § 82 l. 5 *citius quam vellem*. Halm thinks the conjunctive is used after the analogy of the conj. after *prius* (*ante*) *quam*, when there is a past tense in the preceding clause. For the statement cf. or. p. dom. § 25 *sed excitatus aliquando Cn. Pompeii...nimium diu reconditus...animi dolor subvenit subito rei publicae.*

l. 7. **fictis terroribus**] see § 41, § 133 l. 26. [**suis...fictis**; these words are evenly balanced. Is *suis* a corruption of *saevis*? J. S. B.] or rather *stultis*?

l. 9. **retardatam**] cf. or. in Pis. § 76 *cum certi homines non studium eius a me alienassent, sed auxilium retardassent.*

l. 10. **rei p. bene gerendae**] which was impossible, so long as he served the purposes of a particular party.

l. 11. **sceleratissimos civis**] he means the Marian party, Gnaeus Carbo, Gnaeus Domitius and Q. Sertorius, whom Pompeius defeated in Sicily, Africa and Spain respectively. **acerrimos hostis...maximas nationes**] cf. or. p. leg. Man. c. 11, 12.

l. 12. **reges**] Hiarbas, Mithridates, Tigranes; *gentes feras*, the tribes who refused him passage when in pursuit of Mithridates.

[l. 13. **manum**, implying the absence of regular organisation. J. S. B.]

l. 14. **etiam servitia**, 'even the bands of slaves,' § 53 l. 1: Cic. says *etiam*, because some denied Pompeius the credit of terminating the servile war. M. Licinius Crassus had conquered the followers of Spartacus in a regular battle at Silarus in B.C. 71, but about five thousand of them, who escaped to Gaul, fell into the way of Pompeius on his return, who destroyed them all and wrote to the senate to say that he had pulled up the war by the roots. Cf. ep. ad Att. 1, 14.

l. 16. **orbis terrarum terminis**] see n. on § 129 l. 9.

definisset = *finisset*, cf. or. p. Arch. § 23 *si res eae quae gessimus orbis terrarum terminis definiuntur.*

l. 18. **sanguine suo**] he was wounded and nearly lost his life in the battle with Sertorius at Tucro in Spain in B.C. 75, Plut. Sertor. c. 19, Pomp. c. 19, App. b. c. 1 c. 110 *ἐτρώθη δόρατι ἐς τὸν μηρὸν ἐπικινδύνως ὁ Πομπήϊος.*

l. 19. **accessit ad causam publicam**, 'took up the cause of the state,' which was given up to unprincipled factions. Cf. § 87 l. 16 *adiit ad causam rei publicae.* **auctoritate sua**, 'by his moral influence,' not *potestate* 'official authority,' because he was only *privatus*. The difference of meaning in the two words appears clearly from or. in Pis. § 8 *ille designatus consul, cum quidam tribunus pl. suo auxilio magistros ludos contra SCtum facere iussisset, privatus fieri vetuit, atque id quod nondum potestate poterat, obtinuit auctoritate.*

l. 20. **reliquis rebus**)(**praeteritis**; cf. § 73 *spe reliquae tranquillitatis praesentis fluctus fugisse* and see § 66.

l. 21. **inclinatio**, 'tendency upwards,' generally applied to 'a movement downwards, change for the worse,' see n. on or. p. Plane. § 94 l. 26, and cf. Gr. *ροπή*. **ad meliorem spem** i.q. *ad spem melioris status*, § 70 l. 25.

§ 68—§ 95. *Third part of the Confirmatio. Cic. now comes back to the tribunate of Sestius but, before rebutting the charge against him, he gives an account of the measures taken for his own restoration in* B.C. *58 up to the negotiation on January 25:—the motion of the tribune Ninnius on the 1st of June, the opposition of another tribune Aelius Ligur to the resolution of the senate* (§ 68); *the pretence of the two consuls that they were restrained from interference in his favour by the prohibitive clause in the bill of Clodius; the attempt on the life of Pompeius, and his consequent retirement from public affairs during the remainder of Clodius' tribunate; the bill of the eight tribunes on Oct. 29 again opposed by Ligur* (§ 69); *the journey of Sestius, now tribune elect, into Gaul to solicit Caesar's consent to Cicero's restoration; the bill of Lentulus brought forward on Jan.* 1 B.C. *57, but prevented by various obstructions from passing until the 25th*

of January, the day fixed for the decision of the comitia about his case (§§ 71—75); *the attack on the tribunes Fabricius and M. Cispius; the narrow escape of his brother Quintus Cicero; the non-appearance of the tribunes Sestius and Milo on that occasion* (§§ 75—78); *the subsequent attack of the Clodians on Sestius in the temple of Castor, whither he had gone unprotected to oppose some measure of the consul Metellus, on which occasion he only escaped with his life because they thought he was killed* (§§ 79—83); *the determination of Sestius thereupon to protect himself by keeping armed men about him to repel force with force, as Milo also did* (§§ 84—85). *Cicero's reply to the invidious comparison suggested by the accuser between Sestius and Milo, because Milo, before he proceeded to defend himself by main force, had endeavoured to prosecute Clodius in a legal manner* (§§ 86—92). *The circumstance that the Senate itself did not sanction this prosecution, thereby appearing to leave its own party in the lurch, the critical position of Cicero's defenders in comparison with the successful situation of his opponents and the question of Albinovanus founded upon this fact, who asked derisively where the 'caste' of optimates, so highly lauded by Cicero, was really to be found* (§ 93)—*all these lead Cicero to the fourth head, which treats of the optimates and their relation to the populares* (§§ 93—95).

§ 68, l. 23. L. Ninnio] who was one of the tribunes of the people, see § 26 l. 31.

l. 24. numquam...contremuit, 'has never wavered,' from *contremisco*, not *contremo*. intercessit, 'interposed his veto,' § 34 l. 19.

l. 25. Ligus] the tribune Sextus Aelius, who assumed the cognomen Ligus, see n. on § 69 l. 22. additamentum = Gr. προσθήκη (Dem. Olynth. III § 31) 'an accession,' 'make-weight,' used in a contemptuous sense. See § 69 l. 23.

l. 26. eo—loci] in ea conditione, in eo statu, ep. ad Att. I 13, 5 *res eodem est loci quo reliquisti*, Tac. Ann. XIV c. 61 *non eo loci res suas agi, ut de matrimonio certet*, Madv. Gr. § 284 obs. 11, Zumpt Gr. § 434.

l. 27. erigere oculos et vivere, 'to lift its eyes and come to life,' a bold metaphor, as if the *causa* were regarded as *sepulta*: cf. Ovid Met. 4, 145 *ad nomen Thisbes oculos iam morte gravatos Pyramus erexit*. [videretur, surely Cic. must have written *videremur*. J. S. R.]

l. 28. aliquam partem...attigisset, 'had been connected with...in some way or other.' in meo luctu, 'during the mournful trial which had befallen me.'

l. 29. quocumque venerat, 'wherever he went' i.e. to whatever place of public entertainment, the theatres or gladiatorial shows, he was greeted with hisses (*damnabatur*). For the iterative use of the plup. ind. see Madv. Gr. § 338 *a* obs., Zumpt § 579, Roby II § 1717, Kenn. p. 334 § 91 and cf. Cic. de off. III § 88 l. 16. quod iudicium cumque subierat, 'whatever court of justice he entered, he was sure of being condemned,' so great was his unpopularity. Cf. § 106, or. de dom. sua § 49 *amici illi tui* (i.e. of Clodius), *qui se populo commiserant, ita repellebantur, ut etiam Palatinam tuam perderent; qui in iudicium venerant, sive accusatores erant sive rei, te deprecante damnabantur*. quod iudicium cumque] *quicumque* is frequently in Cic. separated by the interposition of an unaccented word. See Madv. Gr. § 87 obs. 2 and cf. de or. III § 60 *quam se cumque in partem dedisset*, de div. 2 § 72 *quo te cumque verteris*, de legg. § 46 *quod ad cum que legis genus*.

l. 31. confiteretur] § 109 l. 21. decesserat] in B.C. 58 Quintus Cicero left his province of Asia, which he had governed as propraetor since B.C. 61. See n. on or. p. Plane. § 65 l. 26.

l. 32. magno squalore] abl. of attendant circumstances with adjective as predicate, Madv. Gr. § 277, Kenn. Gr. p. 405, Roby Gr. § 1242. Squalor ad habitum vestitus refertur, maeror ad animi angorem. SCHOL. BOB.

P. 34, l. 4. fructum...ferre, 'to reap the fruits,' 'earn the reward.' Piso, Tullia's first husband, died in B.C. 57 before Cicero's return from exile: he was a kinsman of Piso the cos. of B.C. 58.

l. 5. ex me, from my gratitude directly, a populo Romano, from the hands of the people indirectly, by receiving some mark of their consideration. a propinquo suo] L. Calpurnius Piso Caesoninus.

l. 7. nisi de me primum coss. rettulissent] cf. or. in Pis. § 29 *an tum eratis consules, cum, quacumque de re verbum facere coeperatis, cunctus ordo reclamabat ostendebatque nihil esse vos acturos, nisi prius de me rettulissetis. Primum*, not *prius*, because *omnia* precedes. For the tense see § 49 l. 4, § 55 l. 32.

CHAPTER XXXII

§ 69, l. 8. quae cum res etc.] The three sentences beginning with *cum* are not coordinate, but the two first are subordinate to the third. The meaning is, 'when this matter was as

good as accomplished and when on the other side the consuls' hands were tied, who screened themselves from the demands of the opposite party behind the clause of the Clodian bill (see Intr. § 17)—in these circumstances, seeing that resistance was no longer possible, they plan the assassination of Pompey.'

l. 9. libertatem] § 14, l. 11, § 88 l. 6.

l. 10. privati)(to *tribuni*, which follows. Cf. or. in Pis. § 30 *quae lex* (Clodia) *privatis hominibus esse lex non videbatur, iniusta per servos...contra omnes leges nullo scripta more: hanc qui se metuere dicerent, hos consules non dicam animi hominum, sed fasti ulli ferre possunt?* The *privati* demanded permission to deliver their opinion (*ut sententias sibi dicere liceret*), which they could not do, unless they were asked by some magistratus with authority to summon the senate (*relatio consularis*).

l. 11. ut—dicerent = *ut dicere liceret*, for the senators could not deliver their opinions on any matter, unless the magistratus who had authority to summon the senate brought a matter before them and asked their opinion. qui—illi] cf. § 59 l. 26. legem Clodiam] in which there was a clause that no person should move for Cicero's return; ep. ad Att. 3, 23, 2, or. post red. in sen. § 8.

l. 12. hoc sustinere, 'withstand the pressure thus put upon them,' as in § 130 l. 15. Others, as Orelli, wrongly interpret 'keep up this pretence about the Clodian law,' 'maintain this.' [On *hoc* as against *haec* cf. Acad. 2, 48: *soritas hoc vocant.* J. S. R.]

l. 14. quo] sc. *consilio.* ferroque deprehenso] Asconius on or. p. Mil. § 37: *Pisone et Gabinio coss. pulso Cicerone in exsilium, cum III Idus Sextiles Pompeius in senatum venit, dicitur servo P. Clodii sica excidisse, eaque ad Gabinium consulem delata dictum est, servo imperatum a P. Clodio, ut Pompeius occideretur. Pompeius statim domum rediit et se domi tenuit, obsessus est etiam a liberto Clodii Damione ut ex actis eius (anni) cognovi;* or. in Pis. § 28 *deprehensus cum ferro ad senatum* (i.e. in the vestibule of the temple of Castor) *is, quem ad Cn. Pompeium interimendum collocatum fuisse constabat;* or. p. dom. § 67. inclusus fuit] § 55 l. 23.

l. 15. in tribunatu] sc. *fuit.*

l. 16. octo] all except Clodius and Aelius Ligus. promulgaverunt] § 55. This happened on the 29th of October B.C. 58.

l. 17. erevisse] see cr. n.

l. 19. esse] sc. amicos. non erant] sc. amici mihi.

l. 20. libertatem, 'freedom of action.' nam] refers back to his statement *non crevisse amicos.*

l. 21. tunc habueram] i.e. when I went into exile.

l. 22. defluxit, 'fell off,' 'deserted,' ep. ad fam. IX 20, 3 *ubi salutatio defluxit, literis me involvo,* Sall. Jug. 1, 4 *ubi per socordiam vires tempus, ingenium defluxere.*

cognomen sibi ex A. 1. adripuit, 'he appropriated a cognomen taken from the busts of the *gens Aelia*,' by which however, Cic. adds, he got nothing more than the reputation of belonging to the (Ligurian) people rather than to the (Aelian) family. There is a very similar hit at one Staienus in the or. pro Cluentio § 72, whom Cicero taxes with having dubbed himself Paetus, which was another of the *cognomina* of the same *gens* in preference to that of Ligus, lest he should be mistaken for a barbarian of that name. *Quid tu, inquit, Paete—hoc enim sibi Staienus cognomen ex imaginibus Aeliorum delegerat, ne, si se Ligurem fecisset, nationis magis quam generis uti cognomine videretur.* Cf. or. p. dom. § 49, de harusp. resp. § 5.

l. 23. quo, 'whereby' not 'in order that,' ironically. nationis eius] sc. Ligurum.

§ 70, l. 24. hoc anno] the same year, B.C. 58, when Piso and Gabinius were still consuls and P. Cornelius Lentulus Spinther, and Q. Caecilius Metellus Nepos were the consuls elect (*consules designati*). igitur] resumptive, § 12 l. 20.

l. 25. boni] § 1 l. 6.

l. 26. princeps] as consul elect, he voted first.

l. 27. auctoritate] see n. on § 67 l. 19.

l. 29. referentibus] on the 29th of October, as we learn from a letter of Cicero to Atticus, III 23, 1. When Cic. ascribes this *relatio* to the eight tribunes, he means of course that one moved it with the consent of his seven colleagues.

l. 30. cum, 'although.'

l. 31. causam—reservari] this proposition stands for the subject of *pertinere*, cf. § 11 l. 11.

l. 32. integram] § 18 l. 17.

P. 35, l. 1. per alios citius quam per se tardius] i.e. by others, who might get the matter done more quickly, than by himself, who would be more slow about it.

CHAPTER XXXIII

§ 71, l. 3. **hoc interim tempore**] Cic. now resumes the sketch of Sestius' early life, which had been interrupted with a description of the turbulent period of the previous year B.C. 58 (§ 15—§ 70).

l. 4. **tribunus**] see cr. n. **iter ad Caesarem suscepit**] In B.C. 58 Caesar, after defeating the Helvetii and the German Ariovistus, crossed the Alps into Gallia Cisalpina to make his circuit (*ad conventus agendos* b. G. 1 c. 54), and Sestius would find him at the close of the year in North Italy. (*Long.*)

l. 5. **quid egerit**] subjunctive of oblique question dependent on *nihil ad causam* (*est* or *pertinet*). 'it does not concern, bear on, the case.' Cf. the phrase *nihil ad rem*, and for the reference Introd. § 19. Translate: 'his object, his success.'

l. 6. **ille**] sc. C. Caesar. **aequus**, 'favourable,' 'friendly.' [*fuerit* can hardly be right: the cod. Ursin. had *fuerat*: either that or *fuit* seems needed. J. S. R.]

l. 7. **nihil ab hoc profectum**, 'that no good was got by him.' *Profectum* is of course from *proficio*, not *proficiscor*.

l. 8. **integritatem**, 'singleness of purpose.' *Sed tamen* — Gr. δ' οὖν, 'be that as it may,' 'any how,' whatever the result was, in reference to *nihil ad causam:* **sed tamen praetermittendum non fuit ut videatis** etc. **hominis**] § 22 l. 16, § 53 l. 18, § 88 l. 4.

l. 11. **ad concordiam civium**] we gather from a letter of Cic. to Lentulus that his return was not opposed by Caesar: ad fam. 1, 9, 9 *seque, quae de mea salute egisset, voluntate Caesaris egisse ipsum meum fratrem testatus est Pompeius.*

l. 12. **a causa non abhorrere**] cf. or. de prov. cons. § 43 *pertinere ad causam illam putabatis voluntatem C. Caesaris e salute mea non abhorrere.* For construction see § 70 l. 31.

l. 13. **abiit**, 'came to an end.' Cf. Ov. ep. ex Pont. 3, 4, 60: *illum venit huc rumor...annus abisse potest.* W. Bauer and E. Ortmann, cited by Halm 5, think that the words *abiit ille annus* to *perdidissemus* l. 19 should be transposed and placed after l. 29 *de tabula sustulit;* because the consuls did not retire from their office before Jan. 1, while the tribunes entered on their office on Dec. the 10th.

l. 14. **nondum re sed spe rei publicae recuperandae**, i. q. eum nondum re res p. esset recuperata sed spes

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esset eius recuperandae. Translate;—'Men were l ning to think they had recovered their breath, not that really had got back, but because they were in hopes of g back, the government.' See cr. n.

l. 15. **exierunt**] they left Rome to go to their resp provinces, Piso to Macedonia, Gabinius to Syria. **ominibus**] Kenn. Gr. § 151. Cf. or. in Pis. § 38 *an quo proficiscenti evenit ut omnes exsecrarentur, male precar unam tibi illam viam et perpetuam esse vellent?* 'Whe Crassus left Rome for his eastern expedition, he was curs all due form.' (*Long.*)

l. 16. **vulturii**] because of their rapacity: cf. or. in § 38 *vulturius illius provinciae.* **paludati**, 'wearin *paludamentum*, or 'military mantle,' for which during mil service the *toga* or garb of peace was relinquished. Cic ad fam. 15, 17, 3, or. in Pis. § 81 *an cum proficisceba paludati in provincias vel emptas vel ereptas, consule quisquam putavit?* Translate: 'vultures in the garb of gener

ipsis] to them only and not to the state. Observe *utinam—evenissent* serves for the protasis of *neque—perdi mus.*

l. 18. **Macedoniam**] Macedonia extended along the of the Hadriatic at this time from the Lissus on the Dri the Aous. During Piso's administration it was overru hordes of Thracians, who extended their predatory raid far as Aetolia. **equitatum**] Cic. does not say either or in his speech de prov. cons. § 9 in fighting against enemies. Appian (Syriac. c. 51) mentions that he was prepa to attack the Arabs, who had given trouble to both his pr cessors, when he was induced by the Parthian king Mithrid to assist him against his brother Orodes, who had usu the royal power and driven him from Media.

§ 72, l. 21. **princeps**] Numerius Quintius Rufus.

l. 22. **homines**] § 28 l. 19, § 71 l. 18.

l. 23. **Graechum**] The point of the joke is uncert Halm suggests that he is so called because of his pec screeching voice, from the natural note *gra* whence *grac* 'a jack-daw.' [The context shews that this must be a cor tion of some word which contained an allusion to gnawin eating. I once thought of *escarium*, which mig its first syllable owing to the last of *in* with it. *Graechum* in a co tion here

hich, Plutarch tells us, he gave great offence. See Intr.
nd cf. below § 126 l. 1, and Prof. Mayor's note on Phil. II
8.

3. quoniam] refers to *emitur*. fatum civitatis] cf.

l. nitedula = mus agrestis rubeus, 'a field-mouse,' explained by Servius on Virg. Georg. I 181. See the m Hor. Ep. I 7, 29, where Bentley proposed to read for *vulpecula*. The man's name Rufus, and perhaps r complexion and mean appearance and puny figure e suggested the comparison, while his *ignobilitas* at in the phrase *ex vepreculis extracta*. Cf. or. in s *ex tenebricosa popina consul extractus*.

drodere, 'to nibble at;' cf. or. Phil. XIII § 27 *est Decius ab illis, ut opinor, Moribus Decius itaque mera rosit*, where there is the same punning allu- ame. Cf. Arist. Vesp. 672 *σὺ δὲ τῆς ἀρχῆς ἀγαπᾷς ἐγκλήρων περιτρώγων*.

ixtus Atilius Serranus, 'not the hero from Gaius Atilius Regulus (Calatinus) cons. was called Serranus, because he was found ad, when summoned to take command, or. p. 50, Valer. Max. IV 4, 5, Plin. N. H. XVIII § 20 *serunt dati honores Serranum, unde et et cog- m.* VI 845 *te sulco, Serrane, serentem*.

serto—insitus] Cic. is here ridiculing Atilius, of *arrogatio*, not unattended by fraud, had himself transferred from the *gens Gavia* into his *transitus in aliam gentem* the term *inseri* erence also to *Serranus*), in continuation of m husbandry. It is uncertain where Cic. me from, because the reading of the MSS *violaeliorea* is unintelligible. Halm follows *Gavii* (*Gavi*) *Oleli rure*, as if to mark meta- yed condition of some particular family. men *Olelus* is confirmed by an inscription the reading *a calatis Gavis* (with a play *dia calata* and possibly upon the cognomen t, Cic. means to say that Atilius had o the *gens Atilia* from the obscure Gavii, o give their approval of his so exchang- But as in a case of *arrogatio* it was Pontifices and the people that had to much probability in Mommsen's conjec- insinuating a Gallic descent. For this difficult passage see cr. n.

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l. 28. nominibus in tabulas relatis] 'after he had e in his ledger (*tabulae accepti et expensi*) the sum promise by Clodius, he withdrew his name from the board on w the tribunes' bill was published' (*promulgata*). There similar play on the words *tabulae* and *tabula* in or. Phi § 14, or. in Cat. 2 § 18.

l. 29. Kal. Ianuariae] the day on which the new cons entered on their duties.

l. 30. audita dico, 'I speak from hearsay.'

l. 31. quae frequentia senatus, 'what a crowded hous there was,' expecting to hear the bill of the consul Lentulus or Cicero's restoration.

l. 32. quae virtus, actio, gravitas, 'how manly, ener- getic, earnest his speech was.'

P. 36, l. 1. conlegae eius] Q. Caecilius Metellus Nepos, the first cousin of Clodius and brother of Q. Metellus Celer to whom Cic. addresses a letter (ad fam. V 2) giving a detailed account of the proceedings of Dec. 10 B.C. 63. It was he who declared that the execution of Catilina's associates was murder and prevented Cic. from making a speech at the end of his consulship, allowing him only to take the usual oath that he had done his duty. Cf. below § 130, or. de prov. cons. § 22, or. in Pis. § 35, Introd. § 1.

l. 3. rei publicae dissensione, i.q. de re publica dis- sensione, 'political differences.' Cf. Heitland on or. p. Rabir. § 18, Kenn. Gr. § 168 a, Roby II § 1895, Madv. Gr. § 283 *obs.* 3 who compares de am. § 20 *amicitia est omnium divinarum humanarumque rerum...consensio* ('agreement in'). Cf. also § 130 l. 3 *contentiones rei publicae*.

l. 4. temporibus rei p. permissurum, 'would waive his private animosities in obedience to the exigencies of the state.' Cf. or. de pr. cons. § 44 where he says *me dolorem et inimicitias meas rei publicae concessisse*, or. Phil. V § 50 *omnes Caesar inimicitias rei p. condonavit*.

CHAPTER XXXIV

§ 73, l. 6. L. Cotta] L. Aurelius Cotta, who was first asked to give his opinion (it does not appear why), was cos. B.C. 65. As praetor in B.C. 70, he carried the *lex Aurelia iudiciaria* which provided that the *iudices* should be selected from the *senatus*, the *ordo equester* and the *tribuni aerarii*. See Introd. to or. p. Planc. p. XXXIX f. [Cotta no doubt spoke

first by private arrangement with the persons most interested. This appears to have been sometimes done. J. S. R.]

l. 7. dignissimum re publica] whose organ the senate must be considered. nihil de me actum esse iure] see or. p. dom. sua c. 26, de legg. III § 45; *quo verius in causa nostra vir magni ingenii summaque prudentia, L. Cotta, dicebat nihil omnino actum esse de nobis; praeter enim quam quod omnia illa essent armis gesta servilibus, praeterea neque tributa capitis comitia rata esse posse neque ulla* (i. e. neither *tributa* nor *centuriata*) *privilegii* (i.e. quibus privilegium irrogaretur). *Quo circa nihil nobis opus esse lege, de quibus nihil omnino actum esset legibus.*

l. 10. non modo ferri sed ne iudicari quidem posse] The negative in *ne—quidem* extends its influence to the preceding clause. See § 20 l. 1, n. on or. p. Planc. § 30 l. 33. What had befallen Cicero was not a case of *iudicari*, but of *ferri* without the employment of *provocatio* and a plebiscite based upon it (Introd. § 11). Cotta's argument then was that a man could not even be tried, much less deprived of his citizenship, except by or under the authority of the *comitia centuriata*.

l. 11. vim fuisse illam, 'that the proceeding at that time was a violent one. For *ille* see n. on § 37 l. 4.

l. 12. [flammam quassatae rei p., the clause is abruptly introduced, and the mixture of metaphors is too bold even for Cicero: *rei publicae flamma, temporum flamma* and the like occur, but nothing resembling *flamma quassatae rei publicae*. The fault seems to lie in *quassatae*, and *ac* must be put before *flammam*. J. S. R.]

l. 13. iure iudiciisque] *ius* is the 'right, 'the law;' *iudicium* 'the tribunal,' or proceeding where or by which the right is contested and declared. There were two functions perfectly distinct and usually entrusted to different hands, the *magistratus* and the *iudex*. To the former belonged the functions described by the words *edicere, ius dicere;* to the *iudex* those expressed by the word *iudicare*. The functionary who had the *iurisdictio*, i.e. the magistrate, was clothed with state power; but the judge was a simple citizen appointed to each particular case to decide the matter at issue, selected from the class of citizens qualified under the constitution to exercise that function, and his powers were imparted to him by the magistrate. The magistrate exercised his jurisdiction, in view of all the people, seated on his *tribunal*, generally in the forum; the judge examined and decided the suit in the forum also or some other public place, seated on his *subsellium*.

l. 14. permutatione] Cf. § 42 l. 30. declinasse—paulum, 'had stept a little aside,' to avoid the encounter.

l. 15. reliquae, 'subsequent,' 'future.' Cf. § 67 l. 20.

l. 16. absens, 'by my retirement.'

l. 17. quodam tempore, 'at a certain (well-known) crisis.'

l. 19. ornari, 'to be honoured,' 'complimented.'

l. 21. pudoris, the general, pudicitiae, the particular idea. The words are often found together in Cic., de legg. 1 § 50, or. Verr. III § 6, or. p. Cluent. § 12, or. p. Deiot. § 28.

l. 22. eis verbis, rebus, sententiis] in explanation of *ita*, cf. or. p. dom. § 47, § 50.

l. 23. vim habere non posset] because the *rogatio* was informal.

l. 24. nulla lege] without any vote of the people, in opp. to *senatus auctoritate*, i.e. a mere formal expression of the senate's opinion possessing no legal validity, not *consulto* i.e. 'a formal resolution.' See Ramsay *R. A.* p. 220. [I hardly think the expression is technical here. Cic. would hardly expect to be recalled without some formal resolution. The sense is 'influence of the senate.' J. S. R.]

l. 25. nemo erat quin] Madv. Gr. § 365 *obs.* 3, Zumpt Gr. § 538, Kenn. Gr. p. 456, Roby Sch. Gr. § 704.

§ 74, l. 26. verissime] i.q. rectissime, 'most justly,' a frequent sense of *verus*, on which see n. to § 8 l. 18, Cic. de off. III § 43 l. 19.

l. 28. otii mei causa cet., 'for the sake of my peace, that I might have done with, be secure from, all popular disturbance.'

l. 30. beneficium] Pompeius proposed that the *auctoritas* of the senate should be confirmed by a vote of the people, which Cic. calls *beneficium*, a term frequently applied by him to an office conferred by popular election. See my note on or. p. Planc. § 12 l. 20.

l. 31. gravius] sententiis. ornatius] verbis.

l. 32. fieret sine ulla varietate discessio, 'when a vote was on the point of taking place without any difference of opinion,' i.e. when all were going to vote unanimously for it. Cf. or. in Cat. III § 13, Ramsay *R. A.* p. 220. varietate] sc. sententiarum: cf. § 118 l. 9, de nat. deor. I § 2 *tanta sunt in varietate et dissensione.*

P. 37, l. 1. **ut scitis**] Cic. appeals to those of the *iudices* who were senators and therefore present during the proceedings spoken of.

l. 2. **Gavianus**] Cic. calls him by this agnomen ironically, as though he had become a member of the *gens Atilia* by formal *arrogatio* and not by a fraud. The fashion was for those who passed out of one *gens* into another to lengthen their old gentile name by the addition of *-anus;* see Ramsay *R. A.* p. 62 f. **cum esset emptus**, 'although he had been bribed to veto the bill.' **nec**, adversative, 'but...not.'

l. 3. **noctem postulavit**, 'asked a night to consider,' which was a polite form of putting a veto, when it was not possible to stave off a question by wasting the whole day in speaking (*diem dicendo eximere*). See the passage from the letter to Atticus, quoted in the next note.

l. 4. **socer ad pedes abiectus**, 'his father-in-law (Gnaeus Oppius Cornicinus) threw himself at his feet.' In his letter to Atticus IV 2, 4 Cicero speaks of his repeating this old trick of his, when there was a resolution before the senate about the restoration of his house (on Oct. 1 of the same year): *cum ad Clodium ventum esset, cupiit diem consumere sed odio et strepitu senatus coactus est aliquando perorare. Cum fieret SCtum in sententiam Marcellini, omnibus praeter unum adsentientibus, Serranus intercessit. De intercessione statim ambo coss. referre coeperunt...Serranus pertimuit et Cornicinus ad suam veterem fabulam rediit: abiecta toga se ad generi pedes abiecit. Ille noctem sibi postulavit; non concedebant: reminiscebantur enim Kal. Ian.*

l. 5. **postero die**] at the next sitting of the senate.

moram facturum] § 129 l. 18.

l. 6. **illi deliberatori**, 'that man of hesitation.'

l. 7. **longa interposita nocte**, 'after the intervention of a long night indeed.' He means of course the whole time his adversaries gained by the adjournment of the question. 'There were, it is true,' he continues, 'only a few more days in January on which the senate could be held; but on all these days nothing was discussed but the subject of my restoration.' The days on which the senate could meet were the Kalendae Jan., IV Non., the Nonae, the VII and VI Idus and XIX, XVII, XVI Kal. Feb. The last days were *comitiales*, on which it was not usual for the senate to sit.

l. 8. **consecuti** = **consecuti enim.** **paucs omnino... sed tamen**, 'few to be sure...but,' see n. to § 84 l. 8.

CHAPTER XXXV

§ 75, l. 11. **calumnia**, 'chicanery.' See my n. on Cic. de off. I § 33 l. 16. **omni** = 'all possible.'

l. 12. **in concilio**] see cr. n. and n. on § 65 l. 20. [*Concilio* will make very good sense, 'the day arrived for the assembly.' J. S. R.]

l. 13. **princeps rogationis**, 'the proposer of the bill.'

l. 14. **templum** = **rostra.** See n. on § 62 l. 6 and cf. cr. in Vat. § 24 *in rostris, in illo, inquam, augurato templo ac loco;* Liv. VIII 14, 12 *rostris earum* (navium Antiatium) *suggestum in foro exstructum adornari placuit, rostraque id templum appellatum.* It was only in places that were *inaugurati* (Ramsay *R. A.* p. 325) that *auspicato agi cum populo poterat.*

l. 15. **aliquanto ante lucem**, 'some time before day-break,' lest his opponents should get there before him.

l. 16. **actor hic defensorque**] § 144 l. 18. *Hic* refers to Sestius.

l. 17. **nihil progreditur**] 'takes no step forwards,' 'remains passive,' 'does not assume the initiative at all.' **nihil** = *in nulla re:* on this adverbial use of *nihil* see n. on cr. p. Planc. § 91 l. 23 and cf. below § 77 l. 11.

l. 18. **quid illi?**] See Madv. Gr. § 479 d, *obs.* 1 and cf. § 114 l. 27, § 122 l. 29: by *illi* are meant Clodius and his party, who put forward Albinovanus as prosecutor of Sestius.

l. 20. **comitium**] This was the most important spot in the *Forum Romanum*, the old meeting-place of the citizens of Rome. It was situated in the north-western end of it, under the Capitol, close to the *Curia Hostilia* which occupied its north-eastern side on a slightly higher level. The Comitium 'was a regularly consecrated *templum* or space open to the air and not a covered building. The harangues delivered from the Rostra, which stood between the Comitium and Forum, were delivered to open-air assemblies of the people.' Burn *Rome and the Campagna* p. 82, Nichols' *Roman Forum* p. 143 ff., p. 188 ff.

multa de nocte = **cum etiam tum multa nox esset,** 'in the depth of night,' Zumpt Gr. § 306, Roby Gr. II § 1903, § 1911.

l. 21. **servis plerisque**, 'most of them slaves.'

l. 22. **manus adferunt**, 'lay violent hands on,' cf. cr. p. Caec. § 49 *hoc intellegamus necesse est, eum detrudi, cui manus adferantur*, above § 2 l. 1, § 84 l. 26.

§ 76, l. 26. cruentis] sc. gladiis, 'swords already blood-stained.' Koch suggests that *manibus* has fallen out before *cruentis*.

l. 28. mei amantissimum] see n. on or. p. Planc. § 13 l. 4,

§ 85 l. 1. voce] shouting out his name, 'loudly.'

l. 30. non repugnandi causa, 'not for the purpose of engaging in combat with them.'

l. 31. spem mei reditus, 'my hoped-for return.'

l. 32. subiit tamen, 'he was exposed to their violence,' although he tried to escape it.

P. 38, l. 1. ad fratris salutem ... deprecandam, 'for the purpose of interceding with the people on behalf of his brother's restoration.' See n. on or. p. Planc. § 102 l. 30 and cf. above § 27 l. 15.

l. 2. e rostris] The rostra stood on the South-west of the *Comitium*, in front of the Curia, so that the speakers could turn either to a patrician or a plebeian audience. See above l. 20 and note on Plut. Graech. c. 5. Nichols' *Roman Forum* p. 150, p. 198 f.

l. 3. se...obtexit] i.e. se tuebatur, 'sheltered himself,' 'concealed himself behind.' Cf. § 145. Plutarch, probably from misunderstanding the meaning of Cicero, says that he lay concealed among the bodies, as though dead, *ὥστε ἐν τοῖς νεκροῖς ὡς τεθνηκότα κείμενον δ.αλαθεῖν*, vit. Cic. c. 33.

l. 5. iuris iudiciorumque] see n. to § 73 l. 13.

§ 77, l. 7. cloacas refarciri, 'the sewers were choked.' spongiis effingi, 'was wiped up with sponges.' Cf. Cato de re rust. c. 67, 2 *ficinas spongia effingat*.

l. 8. copiam, 'multitude.' tam magnificum apparatum cet., 'such a grand array, enough to make everybody think it must belong not to (Clodius himself, who was only) a private person and a plebeian, but to (his brother Appius Claudius Pulcher) a patrician and praetor. It seems from c. 39 that Appius lent Clodius the gladiators, which he had provided for the funeral games of his kinsman Marcus. The story is told in detail by Dio Cassius 39, 7. See Intr. § 21.

CHAPTER XXXVI

l. 11. nihil ... criminanimi Sestium] i.q. nullius facinoris neque ante hoc tempus neque hoc die commissi arguitis. On *nihil* see n. to § 75 l. 17.

l. 14. non ita saepe, 'not so very often.' See n. on Cic. de off. III § 81 l. 36.

l. 15. gladios] Appian b. c. I 17: *οὕτω Γράκχοι ἀνήγητο ἔτι δημαρχῶν ἐν τῷ Καπιτωλίῳ καὶ πρῶτον ἐν ἐκκλησίᾳ τόδε μόνοι γενόμενον οὐ διέλιπεν, ἀεί τινος ὁμοίου γιγνομένου παρὰ μέρος.*

l. 17. Cinnano atque Octaviano die] when in B.C. 87 the consul Gnaeus Octavius attacked with an armed force and defeated his colleague L. Cinna. See Mommsen R. H. vol. III p. 332, Ihne R. H. vol. V p. 315, and cf. or. in Cat. III § 24 *Cn. Octavius consul armis ex urbe collegam suum expulit: omnis hic locus acervis corporum et civium sanguine redundavit.*

l. 18. qua ex concitatione animorum] sc. caedes orta est; 'what excitement of feeling was there to cause such shedding of blood?' ex pertinacia aut constantia intercessoris, 'from the obstinacy or firmness of a tribune in protesting, when by the fault or dishonesty of the proposer of a measure some advantage or bribe is offered to the mob.' Cf. or. p. Sull. § 65 *agrariae legis intercessorem fore professus est.*

l. 20. Mihi verbis *culpa—largitione* addi videtur, quando et qua causa pertinaces sint intercessores. C. F. W. MÜLLER.

[l. 21. largitione: the missing word comes better here; possibly *ostentata;* cf. or. de leg. agr. § 10, where Cic. uses *largitionem ostentare verbis.* J. S. R.]

l. 23. discessione, sc. in partes, 'division into parties;' cf. § 74 l. 32. Halm compares Aul. Gell. N. A. II 12 *si ob discordiam dissensionemque seditio atque discessio populi in duas partes fieret.*

l. 24. ad manus pervenitur, 'they come to an actual conflict,' § 76 l. 22.

l. 25. advocata, 'formally summoned.' Until the herald had duly proclaimed silence (*praeco audientiam fecit*), no meeting could be considered as a *concio*.

§ 78, l. 26. an veri simile est, ut cet., 'is it a likely inference that?' *veri simile est* with *ut* and the subjunctive (instead of the accusative of the subject with the infinitive) is rare except in Cicero's writings and only found in sentences where the idea is negative, or, as here, quasi-negative, and it has the meaning of the periphrasis, *non videtur re vera factum esse ut.* See Zumpt Gr. § 623. It occurs three times besides in Cic., or. p. Rosc. Am. § 121, or. in Verr. 4 § 11, or. p. Sull. § 57 where Mr Reid observes that with this construction the fact which the clause contains is regarded as an inference from some other fact; in the other case as a fact merely.

l. 29. **civi**] § 11 l. 32, § 28 l. 8, § 61 l. 26, or. p. Planc. § 51 l. 32.

l. 30. **rei p. sanguine**, 'with the marrow of the state.' **saginantur**] like gladiators; cf. Tac. Hist. 2, 88: *singulis ibi militibus Vitellius paratos cibos ut gladiatoriam saginam dividebat*, Prop. v (iv) 8, 25 *qui dabit immundae venalia fata saginae*, i.e. 'who will sell himself to be trained and coarsely fed for a gladiator.' **de ipso accusatore**] M. Tullius Albinovanus. *Quaerere* in the sense of 'to inquire,' 'seek to learn,' is used with *ab*, *ex* or *de* before the person from whom the information is sought.

l. 31. **cum multitudine**] Halm compares ep. ad Qu. fr. II 3, 3: *de rege Alexandrino factum est SCtum, cum multitudine cum reduci periculosum rei p. videri.*

l. 32. **cum praesidio**, 'with a military escort,' as in time of war: or. Phil. VIII § 6 *dilectus tota Italia decreti sublatis vacationibus; saga cras sumentur: consul se cum praesidio decensurum esse dixit.* Cf. § 84, § 90.

P. 39, l. 1. **victa—et victa**] § 54 l. 18.

l. 2. **non auspiciis**] i.e. non obnuntiatione facta, a right which the *lex Aelia* conferred on the tribunes, as well as the *magistratus maiores*.

l. 3. **vi manu**] § 2 l. 1.

l. 4. **[is [praetor] qui:]** Mommsen Staatsrecht I p. 86 defends the reading of the MSS i.e. *praetor* and *dixerat*, but, I think, without success. I should like to see another passage in which it is definitely assumed that a praetor (particularly in the period after the passing of the *lex Clodia*) might interrupt a plebeian assembly by the *obnuntiatio*. There is another *prima facie* difficulty which does not seem to have been noticed, that *servare de caelo* and *obnuntiatio* at first sight seem to be distinguished in this passage alone. I wonder no German scenter of glosses has proposed to excise the words *is—dixerat*: (Kimmig p. 55 f. has done so). The only way to make sense of it is to take *is qui...diceret* as merely a description or definition of the subject to *obnuntiasset*: 'if some one had stopped proceedings on religious grounds—I mean, by stating that he watched for an omen from the sky.' J. S. R.] Appius Claudius Pulcher is meant.

l. 5. **plagam, sed eam, quam acceptam gemere posset**, 'a blow indeed, but one the infliction of which it might put up with' (lit. lament), because, being constitutional, it was not fatal. *Quam* is for *quam tamen*; see, however cr. n. [I cannot but think this interpretation too forced. The word appears to me corrupt, but none of the emendations I have seen are probable. *Sanare* would give the right sense and is nearer the MSS but not near enough. J. S. R.] *Redimere* would come nearer the *ductus litterarum*. See however note in Addenda.

l. 8. **iure**] i.e. legitimo et iusto impedimenti genere usus. MAN. **tu**] an apostrophe to P. Clodius. **novicios**] i.e. nondum exercitatos, whose first experience would be a street fight.

l. 9. **aedilitate**] i.e. munere aedilicio, cf. § 135, Cic. de off. II § 57 *splendor aedilitatum*. Clodius was *aedilis* in B.C. 56, the year in which this speech was delivered.

suppositos, 'counterfeit,' because procured on false pretences, viz. that he required them for a show.

l. 10. **immittas**, 'are you to let loose,' 'set on,' subj. of dubitative question, Kenn. Gr. p. 339, Madv. Gr. § 358, Zumpt § 530. **magistratus**] meaning Fabricius, a rhetorical plural. **templo**] § 75 l. 14.

l. 11. **purges**, i.q. vacuum reddas, 'clear;' Tusc. v. § 65 *immissi cum falcibus famuli purgarunt et aperuerunt locum*. **omnia...egeris**] see note to § 79 l. 15.

l. 12. **accuses**] to be understood of Sestius whom Clodius had accused indirectly, as well as of Milo whom he had charged directly, § 95.

CHAPTER XXXVII

§ 79, l. 15. **id egit...ut**, 'made it his object to,' Madv. Gr. § 372 a.

l. 16. **tuto**] adv. 'in safety.'

l. 17. **rem p. administraret**] Halm compares Auct. ad Herenn. IV § 31 *Ti. Gracchum, rem p. administrantem* (i.e. tribunatum gerentem) *indigna prohibuit nec diutius in ea commorari*, or. in Verr. I § 4 *cognoscite hominis principium magistratuum gerendorum et rei p. administrandae*. So *gubernare* is said of the agency of a tribune, or. p. Planc. § 13. For the asyndeton cf. below § 92 l. 26, div. in Caec. § 11.

l. 18. **sanctitate tribunatus**] Ramsay *R. A.* p. 141.

l. 19. **interfationem**, 'interruption.' Cf. Dion. Halic. ant. VII 13: *δημάρχου γνώμην ἀγορεύοντος μηδεὶς λεγέτω μηδὲν ἐναντίον μηδὲ μεσολαβείτω τὸν λόγον*, i.e. neve interfator. This right was secured by the *lex Icilia* B.C. 492 and formed the keystone to the *leges sacratae* concerning the tribunes of the people. Ramsay l. c. p. 144.

l. 20. **legibus sacratis**] § 16 l. 6, § 65 l. 14. Rams. *R. A.* p. 191.

templum Castoris] This was the temple as rebuilt by L. Metellus Dalmaticus consul B.C. 119, which formed one of the most conspicuous objects of the Forum. It was frequently used for meetings of the senate (Cic. or. in Verr. II 1 § 129), and in turbulent times became a position of great political importance. Its terrace and steps served the purpose of Rostra, whenever popular assemblies were held, as was frequently the case, in front of it. It was here that the consuls Sulla and Q. Pompeius Rufus were attacked in B.C. 88 by the tribune Sulpicius and the Marian faction. It was the scene of the contest between Cato and Metellus respecting the recall of Pompeius from Asia (Plut. Cato min. c. 28). It was here that in B.C. 59 the consul Bibulus, when opposing the agrarian law of his colleague Caesar, was pushed down the steps and driven from the Forum. It was this temple which Clodius occupied with his armed followers, and made it, in the language of Cicero, *arx civium perditorum,..... custodium forensis latrocinii, bustum legum omnium ac religionum* (or. in Pis. § 11). Lastly it was from the steps of this temple that Octavianus and the tribune Canutius harangued the people against Antonius (Appian bell. civ. III 41). It was again rebuilt in the time of Augustus, and the existing marble columns are probably a relic of this restoration, Nichols' *Roman Forum*, p. 168 ff. See also n. on § 24 l. 27.

l. 21. **obnuntiavit consuli**, 'opposed some measure (we do not know what) of the consul,' i.e. Metellus. **manus—Clodiana**] § 85 l. 26 *exercitu Clodiano.* **victrix**] cf. § 38.

l. 24. **fragmentis saeptorum**, 'with broken pieces of the polling-pens of the forum.' 'For convenience in taking the suffrages of the several tribes, the space where they met was divided by *saepta*, formed of posts and ropes.' Nichols' *Roman Forum* p. 142.

l. 26. **se abiecit exanimatus**, 'threw himself down in a fit of exhaustion.' [Observe the collocation and cf. Vergil's *infert se medius.* J. S. R.]

l. 27. **opinione mortis**, 'the belief that he was dead.' Cf. de off. II § 89 l. 21 n., I § 183 l. 29, Nägelsb. lat. Stil. § 59, a, 1.

l. 28. **concisum**, 'cut to pieces' from *concido:* another reading is *conscisum* from *conscindo.* There is the same variety of reading in *excisus* and *excissus:* cf. § 35 l. 11 and Mr Reid's note on de sen. § 18, where, however, for *excisam* an impossible word read *excissam.*

l. 30. **errore**] because they thought him dead.

l. 31. **modo**, 'moderation,' 'forbearance.' Cf. or. p. Marcello § 1 *tantum in summa potestate omnium rerum modum.* **aliquando**, see n. to § 18 l. 22.

§ 80, l. 31. **et**=Gr. *εἶτα* 'and after this.' See n. on or. p. Planc. § 71 l. 24, and cf. below § 135 l. 7.

l. 32. **quid ita?** 'why so?' 'why should this be?' Cf. or. p. Rosc. Am. § 34 *accusatis S. Roscium. quid ita? quia de manibus vestris effugit.*

P. 40, l. 1. **id**] sc. **fecit.** Cf. § 14 l. 5. **quae si accessisset**, 'the addition of which.'

l. 2. **exhausisset**] the subject is *plaga*, not *Sestius*, § 48 l. 33.

l. 3. **locum**, 'the right place,' i.e. he did not inflict a deadly blow (*καιρίαν πληγήν*). See cr. n.

male dic—cur] For this use of *cur* for *quod* chiefly after verbs expressive of blame, surprise, annoyance, anger, see Hand Turs, II p. 176 f. and cf. Cic. or. in Verr. III 7, 16 *illud accuso cur in re tam vetere quicquam novi feceris*, Plin. Ep. III 5, 16 *repeto me correptum ab eo, cur ambularem*, Hor. Od. I 33, 8, Ep. I 8, 9, Tac. Ann. VI 4 *consules invasit cur silerent.*

l. 4. **Sabino homini Reatino**, 'a Sabine of Reate,' and therefore not so well known as Lentidius. **Reate** (now called *Rieti*), was one of the most ancient cities of that people, situated in a fertile valley (Cic. ep. ad Att. IV 15, 5, Verg. Aen. VII 712) on the banks of the lake and river Velinus, about 48 miles from Rome. See or. in Cat. III § 5.

tam temere, 'so precipitately,' or. p. Cael. § 64 *quos quidem tu quamobrem temere prosiluisse dicas atque ante tempus non reperio.*

l. 5. **num defuit**, 'did he avoid the assassins' swords?' Cf. § 101 l. 28, or. Phil. II § 71 *cui bello propter timiditatem tuam defuisti*, ep. ad Att. XIV 13, 4 *quod reip. defuerim tam gravi tempore.*

l. 7. **num—ferrum non recepit**, 'did he not, as it is the fashion to bid the gladiators do, meet the stroke?' *recipe ferrum*, 'receive the death-blow,' was the common cry of the people to a conquered gladiator whose life they did not wish spared, usually because of his want of bravery. Cf. or. pro Rosc. Am. § 33, Tusc. 2 § 48 *quis* (gladiator), *cum decubuisset, ferrum recipere iussus collum contraxit?*

CHAPTER XXXVIII

l. 8. **an**] see n. to or. p. Planc. § 33 l. 11. **non posse emori**] epexegetic of *hoc.* **an illa**, sc. *vis est?*

l. 9. **templum**] sc. Castoris, § 79 l. 20.

l. 10. **cum—primum resipisset**, 'when he had just come to himself again,' 'recovered his senses.'

l. 11. **ubi est crimen?** 'where is the foundation for a charge?' The same words occur in or. p. Flacco § 68, or. p.

dom. § 46, or. p. Balb. § 7 where Mr Reid properly observes that in Cic. and early Latin *crimen* never has exactly the meaning of our word 'crime,' but signifies either 'a charge' or 'the criminal act, viewed as foundation for a charge.'

§ 81, l. 12. **gens ista Clodia**] i.e. the brothers Appius (§ 126 l. 24) and Publius and the rest of their family, including slaves and freedmen.

l. 14. **fuistisne ituri=ivissetisne?** 'would you have had recourse to arms?' Cf. or. p. Ligar. § 24 *quaero, quid facturi fuissetis*, ep. ad Att. XIV 14, 2 *quae ille facturus non fuit*, ea *fiunt*, Ovid ep. ex Pont. I 7, 41 *quod nisi delicti pars excusabilis esset, parva relegari poena futura fuit* i.q. *fuisset*, Liv. XL 40 *quo modo sefellissent? quo modo autem ipsi cavisuri fuerunt*, II 1 *quid futurum fuit, si illa plebs agi coepta esset tribuniciis procellis?* Zumpt Gr. § 498, Konn. Gr. p. 485, Madv. Gr. § 342 a.

l. 16. **fuistisne—rem p. repetituri**, 'would you have recovered from his grasp,' what belongs to you by right. Cf. l. 21 *habere rem publicam*. **aliquando**, 'at last.' See n. to § 79 l. 31.

l. 17. **quiesceretis**, 'were you to remain passive?' On the use of the pure conjunctive in inquiries as to what is (or was) to be done, when it is intended to indicate that something will not be (or has not been) done, see Madv. Gr. § 353 and cf. § 27 l. 9, § 29 l. 5, § 78 l. 10.

l. 20. **ulciscemini**] conditional.

l. 21. **si quidem** = Gr. *εἴ γε*, 'if indeed.' **habere rem p.**] cf. § 44 l. 16 *ut neque victi neque victores rem publicam tenere possemus*.

l. 22. **vivi**] observe the position of the word and cf. n. on § 124 l. 31.

§ 82, l. 24. **at vero**, 'but assuredly,' see n. on § 126 l. 33.

l. 25. **vim**, 'effect,' 'consequence.'

l. 26. **opinio mortis**] § 79 l. 27.

l. 27. [**Gracchum**: an independent joke of Cicero's here; see my n. on § 72 l. 23. J. S. R.] **transferendi**] the assassins were so completely shocked at what they had done, that they thought of murdering one of the tribunes on their own side, for the purpose of shifting the charge on to their adversaries, the party of Sestius.

l. 28. **occidere cogitarint=occisuri fuerint**. In the direct form the sentence would have been *occidere cogitarunt, si...*

fuisset: hence in the dependent sense *cogitarint* is required, not *cogitassent*. See Madv. opusc. II p. 227 sq. and Reid's note on or. p. Sull. § 44 l. 27. **rusticulus**] a contemptuous diminutive, 'churl,' § 110 l. 6, § 126 l. 25.

l. 30. **restinguendam**] cf. the common expressions *ardere, flagrare invidia*.

l. 32. **cum qua=qua indutus**, 'in which.' A common use of *cum*, or. in Verr. IV 24, 54 *in hac officina cum tunica pulla sedere solebat et pallio*, or. in Vat. § 31 *quis in funere familiari cenavit cum toga pulla?* Cf. the phrase *cum telo, cum gladiis* § 28 and § 78, § 57 l. 2[8], § 59 l. 30. **ad comitia**] in order to give his vote.

P. 41, l. 1. **messoria corbe**] a conical-shaped wicker-work basket, used for measuring corn in the ear, whereas in the *modius* it was measured after it was threshed out.

l. 2. **Numerium—Quintium**] His name was Numerius Quintius (Quinctius) Rufus. The probable explanation is that while some cried out 'let us kill Numerius Rufus,' others did not know who was meant, Numerius, his praenomen, being usually a gentile name; others cried 'let us kill Quinctius Rufus,' the only name by which they knew him: and so between the two he escaped *gemini nominis errore*, 'through a misunderstanding caused by his having two names.'

l. 3. **usque adeo—quoad**, 'all the time—until.'

l. 4. **in periculo**] so § 28 *in timore*, § 32 *in luctu*.

l. 5. **citius quam vellem**, 'sooner than I could wish,' if I still had the choice. Cf. above § 67 l. 5, or. Phil. II 1 *mihi poenarum illi plus quam optatam dederunt*. Cic. expresses a wish that the victors had not so soon found out that Sestius was alive, for then Numerius would have been murdered by them and so got what he deserved. **ni**] not often used by Cicero, except in the formal language of law, agreements, promises &c., and phrases of ordinary occurrence.

l. 6. **non illi quidem**, 'they would not, it is true, have been able,' see my n. to Cic. de off. I § 2 l. 14, § 60 l. 29, or. p. Planc. § 21 l. 7, and cp. below § 105 l. 30.

l. 7. **in quos putabant**] i.e. *se translaturos esse*.

l. 8. **grato quodam**, 'which I may say was wished for.' On the use of *quidam* with adjectives see n. to de off. I § 95.

§ 83, l. 10. **animam edidisset**, 'had given up the ghost, breathed his last;' see n. to or. p. Planc. § 90 l. 1. So *agere, efflare, exhalare, expirare, amittere, emittere* are used.

l. 11. **si modo—si**] notice the two protases, not connected by a conjunction, and see n. to § 45 l. 31.

l. 12. **revixisset**] periisse enim videbatur cum Clodii furor dominaretur. MAN. Observe the change of tense from *esset* 'existed' denoting a continued state and *revixisset* 'had been restored' once and for all. **aliquando**, 'at some time or other.'

l. 13. **statueretur**] on the hypothetical conjunctive see n. to § 62 l. 15. **nec vero**] § 125 l. 18.

l. 14. **quos—positos—videtis**, 'to whom you see statues erected.' **morte obita**] sc. in the service of their country.

l. 15. **in rostris**] Plin. XXXIV c. 6 § 23: *inter antiquissimas* (statuas) *sunt et Tullii Cloelii, L. Roscii, Sp. Nautii, C. Fulcinii in rostris, a Fidenatibus in legatione interfectorum. Hoc a re publica tribui solebat iniuria caesis, sicut aliis et P. Iunio, Ti. Coruncanio, qui ab Teuta Illyriorum regina interfecti erant...Non praeteribo et Cn. Octavium ob unum scilicet verbum. Hic regem Antiochum, daturum se responsum dicentem, virga quam tenebat forte circumscripsit priusque quam egrederetur circulo illo responsum dare coegit. In qua legatione interfecto senatus statuam poni iussit quam oculatissimo loco, eaque est in rostris.* Cf. also Liv. 4, 17 and Cic. or. Phil. IX § 4. **atque** is explanatory of *illo loco*.

l. 17. **esset—praeponendus**, 'would deserve to be preferred.' **calamitosi**] see Reid's note on or. p. Arch. § 9 l. 22 and cf. above § 7 l. 24.

l. 18. **bene de re p. meriti**, 'of one who had deserved well of his country,' used substantively in connexion with *civis* and *amici*.

l. 20. **quod sensserat**] his *obmutatio* was not imaginary or fictitious, or made with any dishonest purpose.

l. 21. **luce palam**, 'in broad daylight,')(*noctu clam* or. Verr. I § 46. **pestibus**] § 84 l. 18, § 89 l. 10. **in deorum hominumque conspectu**] de off. III § 37 *si omnis deos homines-que celare possimus*, or. Phil. II § 64 *dis hominibusque hostis*, de rep. II § 48 *tyrannus, quo neque foedius nec dis hominibusque invisius animal ullum cogitari potest.*

l. 23. **eius vitam**, 'him in his lifetime.' Cf. § 14 l. 4.

l. 25. **cuius mortem**] abstract for concrete = quem post mortem, as in or. Phil. IX § 15 *grati simus in eius morte decorunda, cui nullam iam aliam gratiam referre possumus*, de sen. § 75 *M. Marcellum, cuius interitum ne crudelissimus quidem hostis honore sepulturae carere passus est.* **putaretis**] conditional.

CHAPTER XXXIX

§ 84, l. 27. **homines—emisti** cet.] This was the charge against Sestius that he collected a force about him. To get men together in order to accomplish anything by violence is treason, if the violence is directed against the sovereign power; and it is riot, or whatever else is the proper name, if it is directed against a private person, or more than one. Against this second kind of violence, which the Romans called *vis*, the penalties of the *lex Plautia* were directed. (*Long.*) [Surely Long's definition does not hold. The violence punished by the *lex Plautia* was as often not directed against the *res publica* and trials under it were distinctly substituted for the old *perduellio*-process. J. S. R.]

l. 28. **quid uti faceret?** 'to do what, I ask?' [Cf. Liv. IV 49, 15 *quid ut a vobis sperent?* and Weissenborn's note, who quotes Cic. de nat. deor. III § 74 *quid ut iudicetur?* Liv. XL 18, 4; XLIV 39, 6 *ut quo victores nos reciperemus?* For the position of *ut* see my n. on or. p. Sull. § 47. J. S. R.] Cicero cannot deny the charge against his client, but he urges in his justification that he was obliged to keep armed men about him for the protection of his person, and that he only armed himself against violence. Observe that the final conjunctions, which are in Greek always prefixed to interrogatives, are in Latin placed either before or after.

senatum obsideret, 'was it for the purpose of laying siege to the senate' like Clodius?; an allusion to the story told by Plutarch in his Life of Cicero c. 31 *οὐ μὴν ἀλλὰ τῷ Κικέρωνι πρῶτον μὲν ὀλίγου δεῖν σύμπαν τὸ τῶν ἱππικῶν πλῆθος συμμετέβαλε τὴν ἐσθῆτα καὶ δισμυρίων οὐκ ἐλάττους νέων παρηκολούθουν κομῶντες καὶ συνικετεύοντες· ἔπειτα τῆς βουλῆς συνελθούσης, ὅπως ψηφίσαιτο τὸν δῆμον ὡς ἐπὶ πένθεσι μεταβαλεῖν τὰ ἱμάτια καὶ τῶν ὑπάτων ἐναντιωθέντων, Κλωδίου δὲ σιδηροφορουμένου περὶ τὸ βουλευτήριον, ἐξέδραμον οὐκ ὀλίγοι τῶν βουλευτικῶν καταρρηγνύμενοι τοὺς χιτῶνας καὶ βοῶντες*, i. e. 'however, at first nearly all the equites changed their dress when Cicero did, and not less than 20,000 young men accompanied him with their hair uncut and joined in his suppliant entreaties. Also when the senate had met in order to pass a vote that the people should change their dress as in a time of mourning, and the consuls were opposed to it, and Clodius was in arms about the Senate house, a number of the senators ran out, rending their clothes and calling aloud.'

l. 30. **disturbaret**, 'demolish.' Lucr. II 1102 *aedis saepe suas disturbet*, Cic. or. Phil. V § 19 *fabros se missurum, et domum meam disturbaturum esse dixit.* **templa**

—inflammaret] see n. to § 95 l. 5. Cic. often charges Clodius with having set fire to the temple of the Nymphs, in which the censors' records were kept. See or. p. Mil. c. 27, or. p. Cael. c. 32, or. de harusp. resp. § 57, parad. 31. tribunos plebis—expelleret] § 75 ff.

l. 32. provincias—venderet, § 24 and c. 28. [*quas vellet et quibus vellet* would be more like Cicero's usage. J. S. B.] reges appellaret, 'dub men kings,' § 56 l. 14. Notice the omission of the proper object.

P. 42, l. 1. rerum capitalium cet.] § 56 l. 16.

l. 2. principem civitatis] Cn. Pompeius, § 69 l. 13.

l. 3. ut—idcirco] or. p. Planc. § 4 l. 19, § 86 l. 4.

l. 5. credo, ironically, 'I dare say,' § 44 l. 19.

l. 6. at nondum erat maturum, 'but, I shall be told, the time was not yet come,' to have recourse to arms in defence of the state. To this objection Cicero replies with a description of the general weakness of the *boni* and the paralysis of lawful government.

l. 8. non omnino—sed tamen, 'not to be sure—but yet.' Cf. § 74 l. 8 and see my n. on or. p. Planc. § 37 l. 31, de off. 1 § 79 l. 6, Tusc. II 35. IV 53, de fin. III 11, Rep. II 43.

l. 9. taciti] without giving expression to your grief.

§ 85, l. 10. anno superiore, in the year before last, i.e. B.C. 58, the year of Clodius' tribunate, when he occupied Castor's temple as his *castellum*: cf. § 15 l. 20. aede Castoris] § 34 l. 27, or. in Pis. c. 10, p. dom. sua c. 21.

l. 11. fugitivis] the lowest class of slaves. silebatur, 'there was a general silence,' no one daring to utter a complaint.

l. 12. cum egestate tum audacia perditorum] cf. § 2 l. 20 *homines egestate et scelere perditos*, and § 99.

l. 13. vi. manu] § 2 l. 1, § 78 l. 30. perferebatis, 'you submitted patiently.' Catull. 8, 11 *sed obstinata mente perfer, obdura*, Ovid Am. III 11, 7.

l. 14. templis pellebantur] § 75.

l. 15. alii] sc. magistratus. Where *alius* is used in the second clause, it is often omitted in the first; cf. § 34 l. 2. aditu ac foro means rather more than *aditu fori*; by *aditu* it is meant that they were forbidden access to the forum, by

foro, that they were prevented from making use of it, so that all exercise of their magisterial authority was denied them. prohibebantur] § 76.

l. 16. praetoris] Appius Claudius Pulcher, eldest brother of P. Clodius, § 126 l. 24.

l. 17. confessi, 'were made to confess.' Cf. or. p. Sull. § 83 *quinque hominibus comprehensis atque confessis interitu remp. liberavi.* emissi] by Sextus Atilius Serranus (§ 72 l. 26), as tribune, in virtue of his right of *intercessio*.

l. 18. mentio nulla] sc. *in senatu facta est*, 'not a word was said.' Cf. de off. III § 47.

l. 19. nulla nova quaestio] 'no special commission of enquiry')(*quaestio perpetua* 'standing commission.' A *nova quaestio* might be appointed by the Comitia in special cases where the ordinary *leges iudiciorum publicorum* were considered insufficient. Such was the *lex Peducaea* of B.C. 113 against the Vestal Virgins, the *lex Fufia de religione* of B.C. 61 against Clodius for his violation of the *sacra Bonae Deae*, the *lex Pompeia de caede in Appia via facta*, the *lex Pedia* relating to the murderers of the Dictator Caesar etc.

l. 20. vetera iudicia sublata] by the *intercessio* of Serranus.

l. 21. plus viginti] Madv. Gr. § 305.

l. 22. alterius] T. Annius Milo, whose house was attacked by Clodius.

l. 23. dicam] the future is more common in such parenthetical remarks; see Wilkins on Cic. de or. I § 98.

l. 24. divini] § 50.

l. 25. domus est oppugnata] In a letter from Cic. to Atticus (IV 3) it is expressly stated that this attack on Milo's house was made on Nov. 12 B.C. 57 and therefore could not have formed the ground of Milo's charge *de vi* against Clodius. It is suggested by Halm that there may have been some prior demonstration against Milo's house, which Cic. in the language of rhetorical exaggeration speaks of as an *oppugnatio*. exercitu Clodiano] § 79 l. 21.

CHAPTER XL

§ 86, l. 27. hoc loco, 'on this topic,' i.e. when speaking of the attack on Milo's house. laudas] for the purpose of making Sestius' case appear worse.

l. 28. **tam immortali virtute**] the descriptive abl., § 27 l. 10, § 47 l. 16. For the alliteration of words with *v* cf. § 59.

l. 29. **hoc**, the ordinary, familiar one, of everyday occurrence (cf. or. Verr. IV § 62 *mittit homini munera satis large, haec ad usum domesticum*, or. p. Rosc. Am. § 134 *mitto haece artes vulgares*) to be taken with *iudicium*, not with *praemium*.

l. 30. **contritum et contemptum**, 'obsolete, trite and contemptible.' Cf. Tusc. V § 85 *reliqua ex collatione facile est conterere atque contemnere*. On the meaning of *contemptus* see n. to or. p. Planc. § 13 l. 1. **iudicium**, 'recognition.'

P. 43, l. 2. **oporteret**, 'should be done' in accordance with and obedience to the laws. **in re publica**] to be taken with *fieri*; cf. or. p. Planc. § 33 l. 13 *multa in re p. molientis*, Tusc. XV § 52 *nescio ecquid ipsi nos fortiter in re publica fecerimus*.

l. 3. **necesse esset**, 'must,' even in defiance of the laws.

l. 4. **sceleri**, 'depravity,' 'profligacy,' see n. to § 2 l. 20.

l. 6. **armis oppressa**, abl. of instrument, § 84 l. 4; **vi consensuque**] abl. of manner.

l. 9. **cumulatae**, 'complete,'; **perfectae**, 'ideal.'

§ 87, l. 10. **adiit ad rem publicam** = causam rei p. suscepit, as in § 67 l. 19 *accessit ad causam publicam*.

l. 11. **non quo—sed quod**] Kenn. Gr. p. 460, Madv. § 357 b *obs.* Cf. § 61 l. 31.

l. 12. **existimari**, 'have judgment passed on them.' **laudis fructum**, 'merited praise,' lit. 'reward which consists in praise,' descriptive gen., see Kenn. p. 413 § 166, Madv. Gr. § 286 *obs.* 2, n. on or. p. Planc. § 21 l. 18, and cf. or. Phil. V § 35 *neque enim ullam mercedem tanta virtus praeter hanc laudis gloriaeque desiderat*.

l. 13. **verbis consequi**, 'to be equal to, do justice to, in description.' Cf. or. Phil. X § 35 *quibusnam verbis eius laudes —consequi possumus?*

l. 15. **in hoc crimine**, 'in dealing with this charge,' § 103.

l. 16. **parem Sesti causam**] if Milo merits the praise bestowed upon him by the prosecutor, for having taken measures of self-defence, Sestius merits it just as much. (*Long.*)

l. 17. **igitur**] resumptive after the digression l. 11 *de cuius laude*; see n. on or. p. Planc. § 36 l. 12.

l. 18. **patriae—ereptum**] § 53 l. 17 n. **simplex**, 'straightforward,' with no mental reservation, with no subordinate or concealed purpose.

l. 19. **constans ratio**, 'his plan of action was fixed and unvarying,' he did nothing more than he had always done.

l. 20. **collegas**] The eight tribunes of the people who were on Milo's side are named in the or. p. red. in sen. c. 8; they were P. Sestius, C. Cestilius, M. Cispius, T. Fadius, M. Curtius, C. Messius, Q. Fabricius. **consulis alterius**] P. Lentulus Spinther, § 144 l. 25.

l. 21. **alterius**] Q. Metellus Nepos; cf. § 72, § 130, or. p. red. ad Quir. c. 15, p. red. in sen. § 5, or. in Pis. § 35.

l. 22. **unus**] Appius Claudius, § 77 l. 9, § 126 l. 24.

l. 23. **erecta**, 'keenly interested,' 'enthusiastic.'

l. 24. **duo soli**] Numerius Quintius Rufus (§ 72, § 82 l. 2), and Sex. Atilius Serranus (§ 72 l. 26, § 85 l. 17).

l. 25. **contempti**] see above on § 86 l. 30. **sustinere**, 'to be equal to the task,' against such a strong opposition.

l. 26. **potuissent**] This would in the recta oratio be *potuerint*. See on § 43 l. 11, § 45 l. 2, § 68 l. 7. **nullo labore**] Madv. Gr. § 257.

l. 27. **auctoritate**, 'with emphasis,' weight arising from personal influence. For the unqualified ablative without adjectival predicate signifying way or manner see Roby Gr. II § 1236, Madv. Gr. § 257 *obs.* 2, Kenn. Gr. p. 399.

l. 28. **per summum ordinem**, 'with the authority of, as the organ of, the senate.'

l. 29. **bonorum**] § 1 l. 6.

l. 31. **reddere**, 'to pay back as a debt' of gratitude for the inheritance of a great name which he is bound to support. Cf. or. de leg. agr. II § 1 *plerique hoc perficiunt, ut tantum maioribus eorum debitum esse videatur, unde etiam quod posteris solveretur redundaret*.

CHAPTER XLI

§ 88, l. 32. **huic gravitati hominis**, = huic tam gravi homini, 'such an earnest and determined character.' See n. on or. p. Planc. § 30 l. 32. **gladiator**, 'prize-fighter,' § 106 l. 20, or. p. Mur. § 50, § 88 *ille importunus gladiator*.

P. 44, l. 1. **si moribus ageret**, 'if he acted according to (the rules established by) usage' and transmitted to later times. Cf. or. p. Caec. § 2 *si facta vis esset moribus* i.e. 'conventionally,' ib. § 32 *ut vis ac deductio moribus fieret*.

l. 2. incendia, 'incendiarism.' cum exercitu suo] § 85 l. 26.

l. 3. itineribus occurrere, 'to fall foul of him, wherever he went,' 'to cross his path,' = *ei in itineribus.*

l. 4. non movit, 'did not make him lose his self-command.' summa gravitate] abl. of description or characteristic quality, § 86 l. 28, Kenn. Gr. p. 399, Roby Gr. II § 1232.

l. 5. dolor, 'indignation,' § 60 l. 17.

l. 6. libertas, 'sense of independence,' 'love of liberty,' cf. de off. II § 24 l. 2 note. prompta, 'energetic.'

l. 8. ut refutaret, 'to repress, repel.'

l. 11. in funeribus—exsultantem] *in* here expresses the object in possession of which, the field in which, the circumstances under which, joy displays itself. Cf. or. p. Balb. § 59 *non exsultavit in ruinis vestris nostrisque Cornelius*, or. in Cat. II § 3 *in hoc ipso, in quo exsultat ac triumphat oratio nea.*

§ 89, l. 13. descendit, 'he agreed to,' as a disagreeable duty, coming down to a lower level. Cf. or. p. Mur. § 60 *Catonem descensurum ad accusandum non fuisse*, div. in Caec. § 1. See, however, J. S. R. in Add. p. 278₁.

l. 14. nullis praemiis] ablative of attendant circumstances with adjective as predicate, Roby Gr. II § 1212, Sch. Gr. § 504, 1. 'In some cases, as in that of *ambitus*, there was,' says Long, 'a reward proposed to the prosecutor.'

l. 15. nulla hominum—etiam opinione id eum umquam esse facturum, 'without so much as any general expectation that he would do so,' i.e. accuse him. For the vicarious use of id *facere* see § 40 l. 18, and on the use of the infinitive as oblique predicate after the verbal substantive *opinio* Roby Gr. II 1351 and cf. Cic. de or. II § 339 *promissio, si audierint, probaturos.*

l. 16. animi, 'high spirit,' 'insolence,' 'defiance.' hominis, 'the man,' i.e. Clodius, used contemptuously as often, like ἄνθρωπος in Greek: see above § 22 l. 16 and my n. to Plutarch Them. c. 16, 2 l. 22.

l. 17. pristini—iudicii turpitudinem desperabat, 'he could not expect, with such an energetic prosecutor as Milo, such a disgraceful trial as that former one of his,' i.e. to employ in this new trial the same scandalous means which he had employed in the other, when he was tried for violating

the mysteries of the *Bona Dea* and bribed the iudices to ac[illegible] him. See Intr. § 6.

l. 18. ecce tibi, 'here you have,' 'then mark you;' my n. on Cic. de off. III § 83 l. 4. consul, praetor [illegible] 'a consul, a praetor, a tribune of the people, put forth [illegible] edicts of a new sort 'that the accused do not put in an app[illegible]ance, that he be not summoned, that no judicial enquiry made, that no person be allowed to speak of *iudices* or tr[illegible] at all.'' The edict was that nothing of this kind should done until the appointment of the *iudices* by lot. The ma[illegible] is explained by Dio Cassius 39, 7 who says 'Clodius wa[illegible] candidate for the aedileship, in order that, if he should elected, he might escape trial for disturbing the peace, Milo commenced a prosecution against him but did not b[illegible] it into court. For neither were the quaestors elected as [illegible] whose business it was to determine the jury by lot, [illegible] (Metellus) Nepos (the consul) forbade the praetor to admit prosecution before the jurymen were appointed. [illegible] as it was the rule that the aediles should be elected before quaestors, this circumstance was the chief cause of the del[illegible] ἐγράψατο γὰρ αὐτὸν (Clodium) ὁ Μίλων, οὐ μέντοι καὶ [illegible] γαγεν· οὔτε γὰρ οἱ ταμίαι, δι' ὧν τὴν ἀποκλήρωσιν τῶν δικασ[illegible] γενέσθαι ἐχρῆν, ᾕρηντο· καὶ ὁ Νέπως ἀπεῖπε τῷ στρατ[illegible] μηδεμίαν πρὸ τῆς κληρώσεως αὐτῶν δίκην προσέσ[illegible] Ἔδει δὲ ἄρα τοὺς ἀγορανόμους (aediles) πρὸ τῶν ταμιῶν (quaest[illegible] καταστῆναι καὶ διὰ τοῦτο ὅτι μάλιστα ἡ διατριβὴ ἐγένετο. [illegible] friends of Clodius wished to secure his election to the aed[illegible]ship, and as aedile elect he could not be tried during that y[illegible] (B.C. 57) except for *ambitus*, if any, at his election. But Mi[illegible] charge against him was brought under the *lex Plautia de vi*[illegible]

l. 19. edicta] a rhetorical plural, as § 35 *alii*, § 78 *ma*[illegible]*tratus, templa*, § 84 *civis indemnatos.* ne reus adsit] [illegible] studiously avoids saying *ne quis reus*, as if the words of edict were applicable to Clodius in particular.

l. 21. quid ageret] cf. § 78 l. 10, § 81 l. 17.

l. 23. conroborata] by impunity.

l. 24. cervices—daret, 'was he to submit tamely, unres[illegible]ingly?' Cf. or. p. Rosc. Am. § 30 *utrum malit cervi*[illegible] *Roscio dare*, or. Phil. II § 51 *cervices suas subiecit sec*[illegible] *vinci* corresponds to *cervices dare, deterreri* = causa susce[illegible] desistere, to *causam abiceret, latere* to *se domi contineret.*

l. 26. abiceret] see cr. n.

l. 27. perfecit [illegible]
he resol[illegible]

CHAPTER XLII

§ 90, l. 30. hoc in genere praesidii comparati, 'in this respect, viz. that of raising an armed force.' *Praesidii* is the genitive of specific definition, Madv. Gr. § 286 *obs.* 2, n. to Cic. or. p. Planc. § 21 l. 18. On the meaning of *hoc in genere* cf. § 113 l. 17 and see n. to or. p. Planc. § 23 l. 1, and cf. de off. I § 84, below § 113 *in illo genere conductarum contionum.* On the use of *in* 'in respect to,' 'in the matter of,' cf. ep. ad Qu. fr. II 2 *me tibi excuso in eo ipso in quo te accuso.*

l. 31. cum idem, 'whereas on the other hand;' *idem* is the regular word for combining inconsistent attributes, cf. § 14 l. 14 and see Kenn. Gr. p. 285 n. 1, Madv. Gr. § 488.

l. 32. an qui—defendit—iure praesidium comparat; qui—monetur...hunc de vi accusandum putas?] On the use of *an* with a double question, involving an inference, see n. to or. p. Planc. § 43 l. 32. The first *qui* of course indicates Milo, the second Sestius. **aris focis]** asyndeton, § 145 l. 12.

P. 45, l. 1. tuto] adv. as in § 79 l. 16, if not dative.

l. 2. templo = rostris, § 75 l. 14.

l. 4. aliqua] see n. to § 108 l. 6.

l. 5. hunc] not *eum*, because Sestius was present in court.

§ 91, l. 6. ita naturam rerum tulisse, 'that this was in the natural evolution of things,' i.e. the progressive condition of mankind. On meaning of *ferre* v. Lewis-Short Dict. p. 739c 10.

l. 7. quodam tempore] § 73 l. 17. **nondum neque—neque]** on the use of *neque—neque* partitively after a general negative see n. to Cic. de off. § 66 l. 31.

l. 8. naturali iure] *ius naturale* is wider than *ius gentium*, law, as dictated by reason and founded on the rational nature of man, and so binding on all men living in a social state, independently of human institutions; *ius civile* is the positive law of independent communities, differing according to their external circumstances and relations. Cf. de off. III § 23 *neque vero hoc solum natura, id est iure gentium, sed etiam legibus populorum, quibus in singulis civitatibus respublica continetur, eodem modo constitutum est.* **descripto,** 'marked out,' 'properly arranged.'

l. 9. tantum—quantum, 'just so much as,' 'no more than,' or. p. Planc. § 20 l. 6. Cf. § 12 l. 9, § 100 l. 20.

l. 10. per, 'in the way of.'

l. 11. retinere, 'to maintain against invaders.' C Sat. I 3, 99, ars poet. 391 ff. **virtute]** abl. of quali l. 28.

l. 12. genere, 'character.' Nägelsb. lat. Stil. § 50,

l. 14. ex feritate illa—ad mansuetudinem, 'from former savage state to one of civilisation.' Cf. de rep. (of Numa) *ad humanitatem atque mansuetudinem re animos hominum.*

l. 15. res ad communem utilitatem, 'things servi public use.' Cf. Verr. IV c. 15 § 33 *intellexi ad ea istos fratres Cibyratas fuisse, ut etc.*, Liv. XLIV 7, 12 *se a in usum rerum copiam invenisse*, Roby Gr. II § 1828: see ever, cr. n. **publicas)(privatae,** the things which are mon to all, such as temples, fora, streets, basilicae, po (Hor. I Epist. 1, 71) and the like, Cic. de off. I § 53 *multa civibus inter se communia: forum fana porticus viae, iudicia, consuetudines praeterea et familiaritates multisque multis res rationesque contractae.*

l. 17. conventicula, 'associations.'

l. 18. domicilia coniuncta, 'union of dwelling-places.

l. 19. invento iure, 'by, through, because of, the in tion of law, they were induced to protect them by wa *Moenibus saepserunt*, which refers to *res publicas...conventi ...domicilia* must be taken literally, not as some would ren 'as with a bulwark.' 'The city wall,' observes Long, 'c tained the state, for when the wall was broken down, political community was at the mercy of the conqueror. S was one of the forms of social existence, in which the not of State was inseparable from that of Urbs.'

§ 92, l. 20. atque introduces a new thesis, 'and furth 'now.' Observe the opposition in what follows between *h* 'the present,' and *illam* 'the past.' **hanc vitam humanita** etc. 'our present high state of civilisation.'

l. 21. tam interest, 'makes so marked a differenc 'marks the difference so strongly.'

l. 22. horum utro uti nolumus] *utercumque* and *uter* follo the same rule as the universal relatives *quicumque, quisqu utut, utcumque*, and take the indicative, Hor. Sat. II 5, 1 *vivet uter locuples, sine gnatis improbus,—illius esto Defenso* Cic. or. p. Sull. § 28 *utrum ostendere potest, vincat necesse est*, Roby Gr. II § 1697.

utro, 'whichever,' for utrocumque or utroutro=si alterutro; as in or. p. Sull. § 28 *utrum ostendere potest, vincat necesse est*, de div. II § 115 *utrum igitur eorum accidisset, verum oraculum fuisset*, or. in Verr. II 3, 45 § 106 *utrum horum dixeris, in eo culpa et crimen haerebit*, Horat. Sat. II 3, 180; 5, 28.

l. 23. vim volumus exstingui] a categorical instead of conditional sentence; so Hor. I Ep. 1, 87 *lectus genialis in aula est: nil ait esse prius, melius nil caelibe vita*: see n. to or. p. Plane. § 15 l. 31, Madv. Gr. § 442ᵉ *obs.* 2, Zumpt § 780. Translate: 'if we would have violence extinguished, law must prevail, that is the administration of justice upon which all law depends.' On *valeat necesse est* see Madv. Gr. § 378 *obs.* 1.

l. 24. quibus—continetur, 'upon which it depends.' See n. on de off. III § 23 l. 4. iudicia displicent aut nulla sunt, 'if we will not have any administration of justice, or if none exists, force must of necessity be dominant.'

l. 25. haec] i.e. all that has preceded considered as one thing.

l. 26. fecit ut experiretur] a periphrasis for expertus est. See Madv. Gr. § 481 b, Zumpt Gr. § 618.

l. 27. uti voluit=libenter usus esset, in opp. to *necessario*. Cf. § 104 l. 24.

l. 29. si minus—at certe] § 7, § 14.

l. 30. fuit idem fieri necesse] it could not be expected that all should be capable of such a sacrifice as Milo.

l. 32. vim et manum, 'violence and force;' above § 2 l. 1, § 15 l. 25, Sall. Jug. XXXI 20 *vindicandum in eos non manu neque vi*, Tac. Agric. c. 9 *plura manu agens*.

CHAPTER XLIII

P. 46, § 93, l. 1. o di immortales] § 53.

l. 2. rei publicae] gen. 'for the conduct of state affairs.' quotus quisque, 'how few,' lit. 'each how many, etc.' i.e. 'one out of how large a number,' 'what a small fraction.'

l. 3. qui amplectatur, 'as to embrace,' generic or consecutive subjunctive.

l. 5. solidam, 'real,' 'sterling,')(*vanam*, 'hollow,' 'sham.'

l. 6. paene fata] in concrete sense, 'the destroyers, demons of disaster, I may say.' Cf. Ov. Fast. v 389 *stare simul casu Troiae duo fata videres: hinc puer Aeneides, his Iove natus erat*. On the attributive use of the adverb, see my n. to Cic. de off. II § 20 l. 26, and cf. or. de prov. cons. § 1 *Gabinium et Pisonem, duo reip. portenta ac paene funera*, or. de dom. s. § 145 *in illo paene fato rei publicae*, below § 116 l. 4, § 130 l. 11.

l. 7. alterum] On the extortions of Gabinius as proconsul of Syria from B.C. 57 to B.C. 54, and the lucrative transactions in which he was concerned, we have the testimony of Dion Cassius 39 c. 56 ff., who among other things says of him: ὁ Γαβίνιος πολλὰ καὶ τὴν Συρίαν ἐκάκωσεν, ὥστε καὶ τῶν λῃστικῶν, ἃ καὶ τότε ἠμαξε, πολὺ πλείω σφίσι λυμήνασθαι, πάντα δὲ δὴ τὰ αὐτόθεν λήμματα ἐλάχιστα εἶναι νομίσας ἐπῆρε καὶ παρεσκεύαζετο ὡς καὶ ἐπὶ τοὺς Πάρθους τόν τε πλοῦτον αὐτῶν στρατεύων. pacatissimis atque opul. gazis] verto 'die reichen friedlichen Schätze,' non 'die friedlichen und reichen' neque 'die reichen, friedlichen.' C. F. W. MÜLLER.

l. 9. inlibatas, 'undiminished,' 'unimpaired.'

l. 11. villam] near Tusculum. Cic. or. in Pis. § 48 calls it *Tusculanum montem*, because of its towering height; cf. or. de domo sua § 124 *ad caelum exstruit villam in Tusculano visceribus aerarii*.

l. 12. tugurium ut] a very common position of *ut* in Cic., particularly after negatives. iam, 'after that,' in comparison with it. illa villa quam...pictam...explicabat] Lucullus' villa, a picture of which he showed, in order to open the eyes of the Romans to the wealth and extravagances of the man whom he wished to have superseded, on occasion of his proposing the bill for conferring the conduct of the war against the pirates upon Pompeius in the year B.C. 67. Dion 36, 10 professes to give the speech which he delivered on the occasion.

l. 13. tribunus plebis, 'when he was tribune of the people,' δήμαρχος ὤν. See n. on § 16 l. 10. This happened in B.C. 67, see Long, *Rom. Rep.* III p. 114 ff.

l. 14. quo, 'to the end that,' 'in order that.'

l. 15. castus=integer, abstinens, 'disinterested.' So Verres is called ironically *homo castissimus*, or. Verr. I § 100. non cupidus, 'unselfish.'

§ 94, l. 15. alterum] Piso, who was proconsul of Macedonia B.C. 57—B.C. 56.

l. 16. Dardanis] a tribe in the south-west of Macedonia. Strabo VII p. 316. For the allusion see or. [illegible] § 4 *ita gentes eae, quae ut [illegible]*

claro nostro imperatori, ut exhaustas domos replere possent, empta pace bellum nobis prope iustum intulerunt. **maxima pecunia**] Madv. Gr. § 258, Roby Gr. § 1196. **conficere**, 'to procure,' Verr. II 1 § 138 *permagnam ex illa re pecuniam confici posse*, or. p. Flacc. § 20 *duae rationes conficiendae pecuniae.*

l. 17. **vexandam**] So or. in Pis. § 96 among the misdeeds of Piso he enumerates that of *Macedonia condonata barbaris.*

l. 19. **bona creditorum—divisisse**] or. in Pis. § 86 *nonne, cum centum talenta tibi Apolloniatae Romae dedissent, ne pecunias creditas solverent, ultro Fufidium, equitem Romanum, creditorem debitoribus suis addixisti?*

l. 20. **Dyrrachinis**, 'the people of Dyrrhachium' (the ancient Epidamnus), which was a *libera civitas* (Cic. ep. ad fam. XIV 1, 6). Cf. or. de prov. cons. § 5 *quis ignorat Achaeos ingentem pecuniam pendere L. Pisoni quotannis? vectigal ac portorium Dyrrhachinorum totum in huius unius quaestum esse conversum?* or. in Pis. § 96 *Dyrrhachium et Apollonia exinanita.*

Achaeis pecuniam imperavisse, 'made a requisition upon the Achaei for the payment of a fixed sum of money annually.' The Achaei were at that time included in the province of Macedonia and under the jurisdiction of its governor; Mommsen *Hist. R.* vol. III p. 51 f. **in annos singulos**, i.q. quotannis.

l. 23. **publico**, 'set apart for public use,' such as fora, theatres, basilicae, cf. § 91 l. 16. **religioso**, 'holy,' 'consecrated,' or. p. Planc. § 86, or. p. Rab. § 7 *de locis religiosis ac de lucis.*

l. 24. **inludere**] the infinitive dependent upon *cum sciat*, l. 6, 'knowing that they are carrying on their game without restraint,' 'play a defiant part.' **omne supplicium**, 'every kind of punishment,' § 28 l. 27.

l. 25. **iure optimo**, 'with perfect justice,' cf. or. p. Planc. § 88, de off. I § 111.

l. 26. **hos duos**] Sestius and Milo.

l. 27. **Aelium**] § 68. **quisquilias**, 'refuse,' 'off-scourings,' ep. ad Att. I 16, 6 *Thalnam et Plautum et spongiam et ceteras huiusmodi quisquilias.* **seditionis**] in concrete sense, 'revolutionary band,' 'rabble.'

l. 28. **volitant**] § 1 l. 16 n.

l. 29. **dum—timebitis**] with reference to the words *reos esse hos duos.* The orator identifies the jury with the conservative party, and points out to them that as long as they pursue a timid policy, i.e. as long as political trials such as the present are possible, so long their adversaries, the radical party, will have no occasion to be afraid for themselves.

CHAPTER XLIV

§ 95, l. 31. **nam** indicates, not the reason of what precedes, but the reason why what precedes did not include what is now added; cf. § 51, § 129, and see n. to or. p. Planc. § 21 l. 18.

aedile] P. Clodius.

l. 32. **diem dixit**, 'gave him formal notice of the impeachment,' the first step of the procedure in state-trials, when a magistrate 'named a day' in a *concio*, on which he would summon the Comitia for the purpose of instituting proceedings. Milo appeared before the burgesses in answer to the charge on the 2nd of February, B.C. 56, Clodius having been chosen aedile on the 22nd of January, Intr. § 24. For an explanation of the reason why the charge *de vi* was brought immediately before the people, see Intr. § 37. **accusavit**, 'stated the charge against,' 'undertook the prosecution of.' Milo's trial was postponed to the Quirinalia, Feb. 17, and further adjourned until May the 7th, so that he was still *reus* when Sestius was acquitted on March the 14th (ep. ad Qu. fr. II 3). The prosecution was finally dropped by Clodius. We have here an instance of the unusual construction, when an object common to two verbs, governing different cases (*diem dixit* takes the dative), is governed by the second, cf. below, § 40 l. 17, Sallust Cat. 51, 38 *imitari quam invidere bonis malebant*, Liv. XXXV 19, 6 *odi odioque sum Romanis*, and other instances quoted by Nägelsb. lat. Stil. § 90 b. So in Greek, as Plat. Apol. Socr. p. 34 c ἐδεήθη τε καὶ ἱκέτευσε τοὺς δικαστὰς μετὰ πολλῶν δακρύων.

P. 47, l. 1. **ut eum—paeniteat**] Cf. or. p. Mil. § 82 *viri fortis est ne suppliciis quidem moveri ut fortiter fecisse paeniteat.* **tanta firmitate animi**, i.q. tam firmo animo; see above § 88 l. 4, l. 32. **in rem publicam**, 'for state business,' not 'in relation to the state.'

l. 4. **quonam suas mentis conferent**, 'whither will they turn their thoughts?' 'what will they think of it?' **monumenta publica**] the *porticus* or colonnade, which Q. Catulus after his victory over the Cimbri (B.C. 101) built on the site of the house of M. Fulvius Flaccus, the contemporary of Gaius Gracchus, adjoined Cicero's house and was demolished by Clodius, to enlarge the site of his intended mansion.

ædis sacras] the temple of the Nymphae, § 84.
ilicorum] Milo, Marcus and Quintus Cicero,
IV 32: *Quinti fratris domus primo fracta coniectu*
area nostra, deinde inflammata iussu Clodii, inspec-
coniectis ignibus, magna querella et gemitu...homi-
s.

ilicibus, 'informers' by profession, abl. of instr.

dia] § 6 l. 21. **peregrinam manum]** probably
rn estates in Etruria, close to the *Aurelia Via*,
pt a large gang of slaves, or. p. Mil. § 26, Philipp.

sdem, 'sanguinary brawls,' 'bloody frays.'

arcerem, 'occupants of the prison,' § 78 l. 9.

olitat] § 91 l. 28. **accusat]** see n. to l. 32.

le] Sestius.

auspicia] Sestius wanted to have the *spectio caeli*
on of aediles; cp. ad Att. IV 3, 3 ff. Cf. § 33 l. 18.

er senatus auctoritatem] Hence it appears that the
ioned above in § 89 were sanctioned by the senate,
ght be viewed as an expression of the opinion of
ordo in favour of Clodius. Cf. the complaint of
letter to Lentulus (I 9, 15): *primum illa furia*
religionum impunitatem est illorum sententiis (i.e.
not *iudicum*) *adsecutus, qui, cum tribunus plebis*
litioso civi per bonos viros iudicio persequi vellet,
praeclarissimum in posterum vindicandae seditionis
ulerunt. **l. 16. non est situs]** Madv. § 390.

§§ 96—132. Refutatio,

y a Digression, containing a sort of political disser-
e character of the two rival parties in the Roman
ptimates *and the* populares, *'the class of the best'*
tizes,' and the 'democrats,' those who put themselves
of the people to gratify their own ambition under
f serving the state. Among the former, which is
class, are to be reckoned all who strive to uphold
constitution and maintain order and tranquillity
in its internal and external relations, while
s honour intact—men of all ranks and conditions,
lers of the senate and their sympathisers and
or those who are eligible to, but have not yet

attained the dignity of, a seat in the senate, provincials, men of business and even freedmen; all who are free from crime or debt, all who are not mad or vicious (§§ 96—98). *In their endeavour to support the national honour and institutions the* optimates *have to counteract the revolutionary tendencies of society, for in a large population there must inevitably be some whom guilt, passion or pecuniary embarrassment drive to despair, and who seek for a remedy of their own misfortunes by agitating for a change of government. The greatest wisdom and the utmost vigilance in its rulers are necessary for the protection of the state against the violence and disorder of such revolutionists; Cic. says he knows from experience better than most men how difficult and thorny the task is. The assailants are more vigorous and earnest than the defenders, whose apathy sometimes lets the evil grow until it is beyond their control. Weak and vacillating champions are of no use in such circumstances: only bold and vigorous men can make a successful resistance and restore order. Such saviours of society have been found at various times in men like M. Scaurus, Q. Metellus, Q. Catulus; worthy examples for those who aspire to glory and do not shrink from labour and perseverance* (§§ 99—102). *The present time, however, contrasts favourably with the past in this respect; there is no longer room for discontent and seditious agitation, as there was in the early period when the interests of the* optimates *and the people at large were at variance. Men now-a-days are satisfied, proud of their country and of the* optimates, *and want nothing but peace and tranquillity: and agitators for a revolution can only secure recruits by bribery. There would be a general unanimity of opinion in political matters but for these revolutionists and their hired gangs* (§§ 103—106). *This may be seen in the* concliones (§§ 107—109), *in the* comitia, *both legislative* (§§ 110—112) *and electoral* (§ 113—114), *in the theatre* (§§ 115—123), *and the gladiatorial shows* (§§ 124—127), *where on all occasions the people have manifested their appreciation of the* optimates *and their sympathy with my cause.*

Then follows (§§ 127—131) *a reply to what the prosecutor had insinuated about the mode of Cicero's restoration, which he designated as having been effected by violent and unjustifiable means; and Cicero takes this opportunity of continuing the description of his splendid and triumphant return, which had been interrupted at* § 77.

After a violent invective against the witness Vatinius, with whom the disparaging phrase 'caste' of optimates *originated, Cicero concludes this part of the speech with a résumé of what he had said about them, and an exhortation to the young to imitate the great and immortal statesmen of old, who 'scorned delights and lived laborious days,' and risked their lives for the*

struggle to maintain conservative principles, and to uphold the glorious constitution which had made Rome the great city it was (§§ 136—143).

§ 96, l. 16. **hoc illud est quod**—**quaesisti**, 'here we have, what you asked,' i.e. 'this is what you meant by asking, the gist of your question.' The prosecutor had asked Cic. in a sneering tone *quaenam esset natio optimatium* whom Cic. assumed to be on his side, when the *auctoritas* of the senate was against him, and this might be considered as an expression of opinion of that order in favour of Clodius.

l. 18. **natio** in a depreciatory sense='caste,' 'tribe,' 'set.' *Cf.* or. p. Mur. § 69, in Pis. § 55 *natio candidatorum*, de nat. deor. II § 74 *salem istum quo caret vestra natio*, Phaedr. II 5 *ardelionum quaedam natio*, C. Gracch. ap. A. Gell. N. A. XV 12, 3 *si ulla meretrix domum meam introivit...omnium nationum postremissimum nequissimumque existimatote.* **quae esset**] i.e. whether they were so weak, as to count for nothing.

l. 22. **officio vestro**] because a right understanding of the matter on the part of the *iudices* would be sure to lead to the acquittal of Sestius.

CHAPTER XLV

l. 25. **eorum qui—studuerunt**] the indicative, not subjunctive, because he is speaking of an actually existing class, who form two divisions. Roby Gr. II § 1681.

in re publica—se excellentius gerere, 'to distinguish themselves as public men,' 'take a prominent part in politics.'

l. 27. **se haberi...voluerunt**] see n. to Cic. de off. I § 65 l. 19, **populares**] Liv. III 68, 10 *natura hoc ita comparatum est, ut qui apud multitudinem sua causa loquitur gratior eo sit, cuius mens nihil praeter publicum commodum videt.*

l. 28. **multitudini**=populo, 'the many,' § 103, § 105, § 124, de off. II § 75 *conciliare benevolentiam multitudinis*, Tusc. II § 63 *si in oculis sis multitudinis.*

l. 29. **ita se gerebant ut—probarent**, 'acted so as to get the approbation of loyal citizens in their designs,' lit. 'make them acceptable to.' **optimo cuique**=omnibus bonis civibus; *cf.* § 103, § 105.

§ 97, l. 31. **iste**=quem tu dicis, 'that of yours.' *Cf.* de rep. I § 50 *nam optimates—quidem quis ferat, qui non populi*

concessu sed suis comitiis hoc sibi nomen adrogaverunt? qui enim iudicatur iste optimus? doctrina artibus studiis.

l. 32. **si quaeris**, 'if you want to know,' n. to de off. III § 80 l. 33.

P. 48, l. 1. **stare**] § 42 l. 19, n. to or. p. Plane. § 81 l. 15. **consilii publici**] § 42 l. 20 n.

l. 2. **qui eorum sectam sequuntur**, 'their supporters in the senate.' **maximorum**, 'largest,' not 'of the highest standing,' which would be *summorum*. Cic. means the *equites Romani, publicani, tribuni aerarii*, whose fortune entitled them to a seat in the senate, after they had held some state office.

l. 4. **negotii gerentes**, 'men of business.' The usual phrase is *negotium* not *negotia gerere*. On the genitive after the present act. participle see or. p. Plane. § 131, 4, § 55 l. 1 n., § 80 l. 9. **rustici**, substantively, 'peasants.'

l. 6. **varie diffusus**, 'spread over various individuals.' **ut tollatur error**, 'to remove any possible misconception,' a final parenthetic clause, Kenn. Gr. p. 458.

l. 7. **brevi circumscribi**, 'comprised in a short definition.'

l. 8. **nocentes**, 'criminals:' the *nocentes* and *natura improbi*, 'those of a vicious disposition,' form one class opp. to the *integri*.

l. 9. **malis domesticis impediti**])(*beati* (l. 19), 'hampered by financial difficulties,' for, as Juvenal says, *haud facile emergunt, quorum virtutibus obstat res angusta domi*, Sat. III 164.

l. 10. **est—ut**, 'it is the case that,' or. p. Cael. § 48 *quando fuit ut, quod licet, non liceret*, i.e. quando non licuit, quod licet? orat. § 199 *est ut id maxume deceat, non ut solum*, Lucr. I 620 *nil erit ut distet*=nil distabit, III 715 *haut erit ut possit*=haud poterit, Hor. Ep. I 12, 2 *non est ut copia maior...donari possit*, for non potest donari; see Munro on Lucr. I 442, Zumpt Gr. § 752. Observe that *qui integri sunt* is the subject, *ei, quam tu nationem appellasti*, the predicate. **quam** is by attraction for quos.

l. 11. **bene de rebus domesticis constitui**=beati, 'in good circumstances.' **de**='in respect to.'

l. 12. **opinionibus**, 'expectations,' 'judgments,' § 114 *qui senserat tantum de rep. aliud atque homines expectabant.* Translate 'those who second the wishes, the interests, and the principles of these men in the government of the state

are supporters of the optimates, and are themselves reckoned among the most weighty of the optimates, the most distinguished members and leaders of the state.'

l. 14. **gravissimi]** *κατ' ἐξοχήν*, 'par excellence,' § 186, § 138. l. 17. **derigere**, 'to give a straightforward direction to.'

§ 98, l. 19. **beatis**, 'well-to-do,')(to the *malis domesticis impediti*, de off. II § 69 l. 15, or. p. Rosc. Am. § 135. **cum dignitate otium**, 'peace with honour,' cf. ep. ad fam. I 9, 21, de or. I § 1. *Otium* refers to the internal tranquillity of a state, *pax* to peace with other nations, cf. § 104 l. 16.

l. 21. **neque enim rerum gerendarum cet.**, 'for as men ought not, in their exaltation at the honour of public employment, to be indifferent to tranquillity, so neither ought they to make much of any tranquillity that is inconsistent with honour.'

CHAPTER XLVI

l. 25. **otiosae dignitatis**, i. q. otii cum dignitate, 'conservatism with honour.' **haec** refers to what follows.

l. 26. **membra**, 'elements.'

l. 27. **vel capitis periculo**, 'even at the risk of life,' or. p. Planc. § 101 l. 17 n. **religiones**, 'religious ordinances,' 'religion.'

l. 28. **senatus auctoritas]** § 137 l. 31, Ramsay *R. A.* p. 220.

l. 29. **fides**, 'honour,' 'probity.' Cf. Dem. or. de Chers. § 66 *πόλεως ἔγωγε πλοῦτον ἡγοῦμαι συμμάχους πίστιν εὔνοιαν.* Others take it to mean 'credit,' without which no state can continue a Great Power, de off. II § 84. **mos maiorum]** § 16 l. 5. **iudicia, iuris dictio**, 'criminal and civil jurisdiction.'

l. 30. **imperii laus**, 'admiration of our system of government.' **res militaris**, 'the army.'

P. 49, § 99, l. 3. **conversiones rei publicae**, 'political convulsions.'

l. 4. **animi furorem**, 'restlessness,' 'feverish desire of change,' 'destructive tendency.'

l. 5. **pascantur**=delectentur, 'feast on,' 'revel in,' not 'live by,' as in de off. II § 40 l. 28 *qui maleficio et scelere pascuntur*, or. in Pis. § 45 *his ego rebus pascor, his delector, his perfruor*, ep. ad Att. IV 10, 1 *ego hic pascor bibliotheca*

Fausti. Cicero, it will be observed, takes no account of honest revolutionists.

l. 6. **implicationem**, 'involved state,' 'embarrassment,' cf. § 97 *malis domesticis impeditos*. **communi incendio—deflagrare**, 'to perish in a general conflagration.' So Vell. Paterc. II 91, 4 *quippe ita se mores habent, ut publica quisque ruina malit occidere, quam sua proteri et idem passurus minus conspici*, Cic. in Cat. IV § 14 *qui cum sibi viderent esse pereundum, cum omnibus potius quam soli perire voluerunt*, Cic. or. in Cat. II § 21, IV § 14.

l. 10. **gubernacula]** § 20 l. 28.

l. 11. **scientia**, 'skill:' de invent. I § 58 *navis optime cursum conficit ea quae scientissimo gubernatore utitur.*

l. 13. **tenere cursum**, 'to keep on his course,' 'not to swerve from a direction once determined on,' a metaphor from navigation: see n. to or. p. Planc. § 52 l. 18, and cf. below § 101 l. 11, de orat. I § 1.

capere ... portum, 'reach the haven,' Caesar B. G. IV c. 36 *ex iis onerariae duae eosdem, quos reliqui, portus capere non potuerunt*, ib. 26 *equites cursum tenere atque insulam capere non potuerant.*

§ 100, l. 14. **si negem—mentiar**, 'if I were to deny it, I should tell an untruth.' Madvig Gr. § 346 b, who quotes de am. § 10 *ego si Scipionis desiderio me moveri negem...certe mentiar*, add de orat. I § 145 *quam ego si nihil dicam adiuvare, mentiar.*

l. 15. **periculorum aut insidiarum]** see n. on § 31 l. 32: had the sentence not been negative but affirmative, *atque* would have been used.

l. 17. **praeter ceteros senserim**, 'have learnt by experience more than others have done.'

CHAPTER XLVII

l. 20. **nutu**, 'with a mere nod,' 'the smallest expression of another's will.' Tusc. II § 51 *nutu quod volet conficiet, nullo labore, nulla molestia*, de or. I § 31 *nutu atque verbo libertinos in urbanas tribus transtulit*, ib. § 194 *auctoritate nutuque legum.* Cf. below § 20 *vultu* 'by merely a look.'

l. 21. **nescio quo modo**, 'alas!' 'unfortunately,' see n. to de off. I § 146 l. 5, or. p. Planc. § 83 l. 4.

l. 22. **tarditores**] Plin. Ep. IV 7, 3 *minor vis bonis quam malis inest, ac sicut ἀμαθία μὲν θράσει λογισμὸς δὲ ὄκνον φέρει* (Thuc. II 40), *ita recta ingenia debilitat verecundia, perversa confirmat audacia.*

rerum] superfluous; cf. § 42 l. 30, § 47 l. 4.

l. 23. **denique**] i. q. demum, 'not until,' 'for the first time.' So *nunc denique, tum denique:* see exx. in Lewis-Short p. 545 c Bd. **ipsa** = 'mere,' as in § 105 l. 28.

l. 25. **ipsi**, 'of themselves,' 'by their own fault.

§ 101, l. 27. **leviores**, 'unstable.' **desciscunt**, 'become renegades to their cause,' a stronger expression than *desunt*, which means 'are wanting in energy or in duty to their cause,' 'fail in rendering assistance,' cf. § 80 l. 5.

l. 29. **pater tuus**] M. Aemilius Scaurus, twice consul B. C. 115 and 107 as *consul suffectus*, censor B. C. 109, *princeps senatus* after his first consulship and the political oracle of the aristocracy. Mommsen Hist. Rome III p. 144, above § 39 and nn. on Cic. de off. I § 76, § 108. **M. Scaure**] M. Aemilius Scaurus, eldest son of the preceding, who may possibly, as praetor in B. C. 56, have presided in the court before which Sestius was tried. Intr. § 26. See n. to de off. I § 138 l. 16, II § 57 l. 1.

l. 30. **a C. Graccho usque ad Q. Varium**] from B. C. 123 to B. C. 90. Cf. Aurelius Victor de viris illustr. 72, 9: *tantumque auctoritate potuit* (Scaurus) *ut Opimium contra Gracchum, Marium contra Glauciam et Saturninum privato consilio armaret.* We learn from a note of Asconius on Cicero's speech for M. Aem. Scaurus the son (Orelli Vol. V p. 22) that when, on the proposal of the tribune Q. Varius, a special commission of high treason was appointed for the investigation of the conspiracy instigated by Drusus, out of which the revolt of the Italian subjects had originated (s. Mommsen H. R. III p. 248), *Q. Caepio, vetus inimicus Scauri, sperans invenisse se occasionem opprimendi eius egit, ut Q. Varius tribunus plebis belli concitati crimine adesse apud se Scaurum iuberet anno* LXXIII. *Ille per viatorem accersitus, cum iam ex morbo male solveretur, dissuadentibus amicis, ne se in illa valetudine et aestate invidiae populi obiceret, innixus nobilissimis iuvenibus processit in forum, deinde accepto respondendi loco dixit: 'Q. Varius Hispanus M. Scaurum principem senatus socios in arma ait convocasse; M. Scaurus princeps senatus negat; testis nemo est; utri vos, Quirites, convenit credere?' Qua voce ita omnium commutavit animos, ut ab ipso etiam tribuno dimitteretur.*

l. 32. **labefecit**, 'caused to waver,' 'shook his purpose;' the more usual form in Cic. is *labefactavit.* **Q. Metellus**] Q. Caecilius Metellus Numidicus, see n. to or. p. Planc. § 89 p. 187—8. Caecilia Metella, the daughter of his elder brother L. Caecilius Metellus Dalmaticus, was married to M. Scaurus, and after his death to L. Sulla the dictator. She was great aunt to the Caecilia Metella, whose tomb is now such a conspicuous object on the Via Appia.

P. 50, l. 1. **florentem in populari ratione**, 'eminent as a leader of the democratical party.'

l. 2. **populari ratione**, 'the democratical tendency.' Cf. § 114 *qui ita se in populari ratione iactarat*, Brut. § 103 *alter* (Gaius Gracchus) *propter perpetuam in populari ratione levitatem morte voluntaria se a severitate iudicum vindicavit.*

censor notasset] 'Lucius Appuleius Saturninus excited a tumult against Q. Metellus, when he was a candidate for the censorship in 102/652, and kept him besieged in the Capitol till the *equites* liberated him not without bloodshed; the retaliatory measure of the censor Metellus—the expulsion with infamy of Saturninus and of Glaucia from the senate on occasion of the revision of the senatorial roll—had only miscarried through the remissness of the colleague assigned to Metellus.' Mommsen *R. H.* Vol. III p. 217. Appian B. Civ. I 28 *τιμητὴν δὲ Κόϊντος Καικίλιος Μέτελλος Γλαυκίαν τε βουλεύοντα καὶ Ἀπουλήϊον Σατουρνῖνον δεδημαρχηκότα ἤδη τῆς ἀξιώσεως παρέλυεν, αἰσχρῶς βιοῦντας· οὐ μὴν ἐδυνήθη· ὁ γὰρ συνάρχων οὐ συνέθετο.* On the *nota censoria* see Ramsay *R. A.* p. 168.

l. 3. **insitivum Gracchum**] the Pseudo-Gracchus, a fellow named L. Equitius, said to have been a runaway slave from Picenum (*ille ex compedibus atque ergastulo Gracchus*, or. p. C. Rab. § 20), who gave out that he was a son of Tib. Gracchus, and, though disowned by the sister of the Gracchi, was chosen tribune by the people in 99/655 solely on account of his usurped name. Momms. *R. H.* III p. 214. Val. Max. VIII 7, 2 *idem populus Q. Metellum censorem, quod ab eo* (Equitio) *tamquam Gracchi filio censum recipere nolebat, lapidibus prosternere conatus est, adfirmantem tres tantummodo filios Gracchi fuisse.* He perished with the rest of the associates of Saturninus. See concerning him Appian B. C. I 32—33, Florus, III 16 § 1, Valer. Max. IX 15, 1. **insitivum**] lit. 'ingrafted,' hence 'spurious,' 'substituted:' cf. Phaedr. fab. III 8, 10 *insitivos liberos.*

l. 4. **censu prohibuisset**, 'had struck him off the burgess-list.' *Census* = 'the register drawn up by the censors;' 'the

'censorial list;' see Ramsay *R. A.* p. 166—7, and cf. or. p. Balb. § 5 *irrepsisse in censum*, or. p. Arch. § 15 *census nostros requiris.* eam legem] the *lex Appuleia agraria* on which see n. to § 37.

l. 6. ut—relinquam] § 29 l. 7, § 55 l. 18.

l. 9. Q. Catulus] Q. Lutatius Q. f. Q. n. Catulus, son of the conqueror of the Cimbri, was consul in B.C. 78, the year of Sulla's death, with M. Aemilius Lepidus whose efforts to abrogate the dictator's acts he strenuously resisted, and censor in B.C. 65. He died in B.C. 60, and therefore four years before the delivery of this speech. He was also *princeps senatus* and one of the most honoured of the optimates of his time, eminent for his opposition to all anticonstitutional innovations. See n. to Cic. de off. I § 76 l. n.

l. 10. aura)(*tempestas*, 'the soft, alluring air,' not 'the favouring breeze.' Cf. Hor. Od. II 8, 23 *tua ne retardet aura maritos.*

l. 11. cursu] § 99 l. 13, or. p. Planc. § 52, § 94.

CHAPTER XLVIII

§ 102, l. 14. ampla refers to *dignitatem*, divina to *laudem*, immortalia to *gloriam:* the three verbs in the next clause refer to the same adjectives respectively.

l. 16. posteritati] the dative because of the notion *tradere* which underlies *propagare*, and perhaps to correspond with *mandantur.* The usual phrase is *ad posteritatem.*

l. 18. multae insidiae cet.] words of Atreus addressed to his son taken from the so-named tragedy of the poet Accius. See n. to or. p. Planc. § 59. There seems to be a reminiscence of the same passage in the Verr. V § 181 *si tantulum oculos deiecerimus, praesto esse insidias: si ullum locum aperuerimus suspicioni aut crimini, accipiendum statim volnus esse: nobis semper vigilandum, semper laborandum videmus.*

l. 19. te] has a universal reference, and does not form part of the quotation.

l. 20. inscitia, 'stupidity.' Ter. Eun. V 8, 41 *verum si idem vobis prodest, vos non facere inscitiast*, Plaut. Curc. I 3, 29 (186) *male mereri de immerente inscitiast.*

l. 21. inquit, sc. poeta, implied in *verissime dictum est.*

l. 22. efferas, 'bring to light,' i.e. 'exert,' 'employ.'

l. 23. nollem—dixisset, 'I wish he had not also said,' de off. I § 35. quod exciperent, 'for them to lay hold of,' 'pick up,' 'appropriate,' as the emperor Caligula did, who acc. to Suetonius Calig. c. 30 *versus subinde tactabat.*

l. 25. oderint, dum metuant] n. to de off. I § 97 l. 16.

l. 26. praeclara] predicate adjective. *illa*, 'the above-quoted lines' or 'in those words.'

§ 103, l. 27. haec via ac ratio, 'this system,' 'method,' i.e. the pursuit of a conservative line of policy.

l. 29. populi, 'the people,' as opp. to the *optimates.* Cf. below § 104, de amic. § 41 *videre iam videor populum a senatu disiunctum, multitudinis arbitrio res maximas agi*, de orat. III § 196 *a multitudine ac populo.*

l. 30. tabellaria lex] the law carried by L. Cassius Longinus Ravilla, tribune of the people in B.C. 137, which extended the use of the ballot to the juries in all criminal trials, *ut tabellae etiam in iudiciis populi* (i.e. publicis comitiis centuriatis habendis) *praeterquam in iudicio perduellionis haberentur*, Rams. *R. A.* p. 108. The *lex Gabinia* two years earlier in B.C. 139 introduced vote by ballot into elections, de am. § 41.

l. 31. agi, 'was at stake.'

l. 32. in salute optimatium, 'in the matter of the welfare of the optimates,' i.e. where their interests were at stake.

P. 51, l. 1. agrariam legem] i. e. the *lex Sempronia agraria* of B.C. 133, the object of which was to revive under a modified form the lex Licinia, limiting the *possessores* to 500 *iugera* for himself and 250 for each of two sons (*ne quis agri publici plus quam quingenta iugera possideret*) and dividing the resumed land into lots of 30 *iugera*, and allotting it to the poor 'as inalienable heritable leaseholds' at a small rent (*vectigal*), which went into the *aerarium.*

l. 3. constitui, 'to be on the point of being set up,' 'securely established,' cp. ad Att. IV 1, 3 *consiliorum ad colligendas et constituendas reliquias nostras* (fortunarum) *indigemus.*

l. 6. propugnatoribus] the leaders of this aristocratical party (§ 101 and § 156), whose power and consequence depended as much upon their great wealth and hereditary possessions as upon their *nobilitas.* So that in their point of view it might be said with an appearance of justice that by lowering the rich families to the level of the middle class, which must follow upon the limitation of their share in the *ager publicus*, the state would be robbed of its *propugnatores.* Cf. de off. II § 78. arbitrabantur, 'it was their personal conviction.'

l. 7. **frumentariam**] see n. to § 55.

l. 10. **aerarium exhauriri**] § 55 l. 30 *ut remissis senis et trientibus quinta prope pars vectigalium tolleretur.*

CHAPTER XLIX

l. 11. **nostra memoria**, 'within my own time,' from the period of his birth until that when he is speaking. **quae consulto praetereo**] the *leges Iuliae* of B.C. 59.

l. 12. **fuerunt in contentione**, 'were the subjects of dispute.' Cf. de off. I § 47 l. 21. The *ut*-clause which follows is an expansion and explanation of *ea*.

l. 13. **consilio**, 'policy,' arising from greater reflexion,)(*cupiditas*.

§ 104, l. 14. **nihil est quod**, 'now-a-days there is no more reason why, etc.' Cf. § 1 l. 1. **delectis**, 'the select few,' 'the *élite* of the people.' Cf. or. in Vat. § 23 *delectos viros et principes civitatis*, de rep. I § 42 *deinde aut uni tribuendum est aut delectis quibusdam aut suscipiendum est multitudini atque omnibus; cum est* (summa rerum) *penes delectos, tum illa civitas optimatium arbitrio regi dicitur.*

l. 16. **et otio suo**] On the explicative use of *et* for an adversative particle, see n. to de off. I § 22 l. 32. Hirschfelder reads *sed*.

l. 20. **perfuncta**, 'having got through with,' 'got rid of.'

l. 21. **id agunt ut**, 'make it their object to,' Kenn. Gr. p. 442, Madvig Gr. § 372 a.

l. 23. **pretio ac mercede**] de off. II § 21 l. 7.

l. 24. **quidquid dicunt**] Roby Gr. § 1717. **velle audire**, 'to listen to with pleasure.' Cf. § 92 l. 27.

§ 105, l. 25. **aut quemquam**, 'or any one else,' § 2 l. 18 **populares**, 'demagogues,' de off. I § 85, II § 21.

l. 27. **ullum**] used substantively. **habuisse conductum**] Madv. Gr. § 427, Zumpt Gr. § 634, Kenn. p. 499, Roby Sch Gr. § 559.

l. 28. **ipsa largitio**, 'the mere giving,' i.e. the bestowal alone of advantages offered by a *lex agraria, frumentaria*.

l. 30. **offendebant illi quidem apud gravis et honestos homines**, 'to be sure, they gave offence to thoughtful and respectable men but etc.' Cf. ep. ad Att. x 4, 8 *quod intellegeret se apud ipsam plebem offendisse de aerario.* On the use of *quidem* when a concession is made, but immediately qualified by an adversative clause and its attraction to a personal pronoun, see P. S. Gr. p. 285, Madv. Gr. § 489 b, Zumpt § 801.

l. 31. **populi iudiciis**, 'the sentiments manifested by the people' on all public occasions. **omni significatione**, 'every possible demonstration,' 'expression of approbation.' § 122, § 127, ep. ad Att. I 16, 11 *et ludis et gladiatoribus mirandas ἐπισημασίας* ('tokens of popularity') *sine ulla pastoricia fistula auferebamus*, ep. ad Qu. fr. I 1, 42.

P. 52, l. 1. **quod contenderant**, sc. **consequi**, or *quod* may be the direct object of *contenderant*, as in or. in Verr. II § 52 *ne omnia contendamus*, Varro ap. Non. p. 259, 32 *et petere imperium populi et contendere honores.*

l. 3. **qui adversabantur ei generi**, 'the opponents of that class of men,' § 114 l. 7.

l. 4. **sed valebant**] The *sed* refers to the second clause *multitudini iucundi non erant*, to which the preceding clause *valebant etc.* is to be considered subordinate: *sed cum valerent in senatu, multitudini iucundi non erant.*

l. 6. **suffragiis offendebatur**, 'was thwarted by the popular vote.'

l. 8. **si quis...acceperat**] iterative pluperfect, Roby Gr. II § 1717, Kenn. Gr. p. 334 D, Madv. Gr. § 338 a *obs.*, Zumpt § 579. **ne quid peccasset**] Abrami quotes in illustration an anecdote of Phocion in Plutarch apophth. p. 188 A: *ἐπεὶ δὲ λέγων ποτὲ γνώμην πρὸς τὸν δῆμον εὐδοκίμει καὶ πάντας ὁμαλῶς ἑώρα τὸν λόγον ἀποδεχομένους, ἐπιστραφεὶς πρὸς τοὺς φίλους εἶπεν· 'οὐ δή που κακόν τι λέγων ἐμαυτὸν λέληθα;'* **idem ille**] § 108 l. 7.

CHAPTER L

§ 106, l. 12. **nisi me fallit**, 'unless I am mistaken.' On the impersonal use of *fallo* see n. to de off. II § 25, and cf. below § 115 *neminem vestrum fallit.* The usual phrase is *nisi me fallit animus.*

l. 13. **operas conductorum**] i.q. **operas conductas**, § 38 l. 18. Cf. below § 113 l. 18 *conductarum contionum*, or. p. dom. § 79 *conductis operis non solum egentium sed etiam servorum*, Varr. de R. R. I 17, 2 *cum conducticiis liberorum operis res maiores...administrant.* **si removeris**, 'setting aside.' Cf. de off. I § 157 l. 3, or. p. Planc. § 39 l. 16. **idem sensuri**] § 114 l. 29.

l. 14. tribus locis] not a local but a temporal abl., 'on three occasions' [a common use in Livy, e.g. *quod id locorum* &c. J. S. R.].

l. 16. contione, comitiis, 'at a public meeting or constitutional assembly of the whole people.' There is a sharp distinction between the two; in the former no measure could be passed, and no proposition (*rogatio*) submitted to a vote upon; speeches only were delivered by the summoning magistrate and those whom he introduced (*produxit*); the latter were either electoral (*magistratuum*, § 109) or legislative (*legum*).

gladiatorum] sc. scaenicorum, § 115. gladiatorum, 'gladiatorial exhibitions,' after the analogy of the Greek τραγῳδοί, κωμῳδοί. [Is the gen. not merely objective 'an assembly connected with (for the purpose of seeing) gladiators'? J. S. R.]

l. 17. quae quidem esset, 'I mean, such as.' On the restrictive use of the consecutive subjunctive with *qui* see Madv. Gr. § 364 *obs.* 2, Zumpt Gr. § 559, Roby Gr. II § 1692.

l. 20. gladiatore] P. Clodius.

l. 22. foedum, 'disfigured by lust.'

l. 23. erant...necessario turbulentae, 'could not be otherwise than stormy.'

§ 107, l. 24. de eodem me, 'also about me,' § 106 l. 8 *eiusdem illius*, § 109 l. 21. habuit contionem = verba fecit, 'delivered an harangue,' § 108 l. 9.

l. 27. constitit, 'was assembled.'

l. 28. gravitate, 'energy,' 'stress,' 'emphasis.' tanto silentio] § 39 l. 12, § 49 l. 10, § 54 l. 4.

[l. 30. ad auris—accidisse: cf. or. in Verr. IV § 2 *nihil quod ad oculos animumque accideret.* J. S. R.]

productus] sc. *auctoritatis exquirendae causa*, see n. to § 33.

P. 88, l. 1. praebuit] see cr. n. Cf. or. in Pis. 80.

l. 2. numquam—maiore] Müller with Klotz enlarges the sentence from P^2 into *numquam neque sententiam eius auctoritate neque eloquentiam iucunditate fuisse maiore.*

§ 108, l. 5. idcirco...ne] § 128 l. 19. appello = nomino. Cf. div. in Caec. § 13 *testes sunt viri clarissimi nostrae civitatis, quos omnis a me nominari non est necesse: eos qui adsunt appellabo.* si minus] 'if I say less than he deserves.'

l. 6. de aliquo, 'of some person or other.'

[l. 7. cedo: the use here is not easy to parallel exactly; in the speeches it often has the sense 'pray give me,' 'pray read to me,' 'pray tell me;' but not 'pray consider' or 'pray reflect on,' as here. There are difficulties about the ordinary derivation of the word. (1) the enclitic put in the front of the compound; (2) the *a* of the imperative *da* changed to *o*; the *dt* of (*ce-date*) *cedite* sinking not to *st* or *ss* but to *tt*. I believe all these three things, strictly speaking, unparalleled in Latin. But I do not know of any better derivation. J. S. R.] eiusdem illius] § 105 l. 10.

l. 8. de me eodem] § 107 l. 24, § 109 l. 21. ad verum populum] i.e. not to a mere fraction of the people, § 114 l. 32.

l. 9. contionem = *orationem in contione habitam*, 'speech,' § 107 l. 24. non modo] see n. on § 45 l. 6.

l. 13. scelere adstringi] de off. III § 19 *se astrinxit scelere*, or. p. Sull. § 82. The usual word is *obstringi*, as in or. p. Sull. § 6, Verr. IV § 71 *tanto scelere obstrictum.*

CHAPTER LI

§ 109, l. 14. venio ad] or. p. Planc. § 12 l. 16 n. sive magistratuum placet, sive legum, 'for the election of magistrates or passing of laws, whichever you please.'

l. 16. vix ut] for the position of *ut* see n. on § 93 l. 12.

[quini, i.e. ex singulis tribubus, 'scarce five, to represent (nominally) each tribe, and very often even those not belonging to the tribe they propose to represent;' Cicero is of course speaking hyperbolically, like Demosth. or. de coron. § 149, when he says:—*προβληθεὶς πυλαγόρας οὗτος καὶ τριῶν ἢ τεττάρων χειροτονησάντων αὐτὸν ἀνερρήθη.* For the general drift cf. Arist. Ach. 508 *ἐχειροτόνησαν γάρ με...πάνυγγές γε τρεῖς.* J. S. R.]

l. 19. ruina = pestis, 'perdition,' 'destroyer.' So in the or. de prov. cons. § 15 Gabinius and Piso are called *publicanorum ruinae.* legem tulisse] after Cic. had gone into exile.

l. 20. ferebatur] sc. *lex.* tulisse suffragium, i.q. dedisse, 'gave his vote,' cf. Liv. III 17, 4; 25, 4.

l. 21. de me eodem] § 108 l. 8. ex senatus consulto... centuriatis] and therefore with the observance of all formalities.

l. 23. profiteatur, 'gladly own.'

l. 25. honestates, 'notabilities,' 'notables,' 'respectabilities,' so *potestates*, § 56 l. 5, *dignitates*, 'dignitaries,' Liv. XXIII 40, 4, *nobilitates* = principes, Tac. Ann. XII 20.

l. 26. **una consentiunt**] de am. § 86 *omnes uno ore consentiunt*, Phil. I § 20 *omnes una et voce et mente consentiunt.* **furiae convolant**] § 54 l. 9.

§ 110, l. 28. **Gellius**] L. Gellius Poplicola, whom Cic. in Vatin. c. 2 calls *nutriculam seditiosorum;* he was stepson of L. Marcius Philippus cos. B.C. 97. **fratre**] L. Marcius Philippus, cons. B.C. 56; Intr. § 24.

l. 30. **nomen retinet, ornamenta confecit**] the contrast between the two clauses is made stronger by the omission of a conjunction to connect them: on this *asyndeton adversativum* see Reid's note to de am. § 5 l. 25. The *ornamenta* are the 'requisites' for maintaining the position, viz. a fortune of 400,000 sesterces, cf. Hor. Epist. I 1, 57, or. p. Planc. § 12 l. 26. Gellius still retained his rank, because he had not been degraded by the censors. There was no regular lustrum after B.C. 70 until Augustus reestablished it in B.C. 28. [There were censors in B.C. 61, who held the *lectio senatus*. I do not know whether it is expressly stated that they did not hold the *recognitio equitum*. If they did, being, as is conjectured, friends of Clodius, they probably ejected none of his supporters. J. S. R.]

l. 31. **populare**] i.e. populo gratum, 'will he please the people by showing himself?' In *populo R. deditus* there is probably an allusion to his name *Poplicola*.

enim = 'yes, certainly, for.'

l. 32. **magis**] sc. deditum, said ironically.

qui cum eius] for the usual *cuius cum*, see on § 63 l. 24, and cf. de sen. § 13 *qui cum ex eo quaererentur*, or. Phil. II § 17 *quem, quia iure ei inimicus fui, dolore superatum*, ep. ad fam. VI 4, 2 *quae tamen, si possis eam suscipere, maxima est*, Verr. II § 174 *de quibus, ut eos iudices habeamus.*

P. 54, l. 1. **in honoribus—florere potuisset**, 'might have basked in the sunshine of his stepfather's honours,' i.e. might have been looked up to and esteemed as he was. Cf. § 101 l. 1.

l. 2. **L. Philippi**] L. Philippus cos. B.C. 91, censor B.C. 86, was an orator of some repute; de or. 3, 4 *homini et vehementi et diserto et in primis forti ad resistendum L. Philippo.*

non fuit popularis] *usque eo fuit popularis* would have better suited the ironical turn in *nihil vidi magis.*

l. 3. **comesset**, 'wasted,' 'squandered.' Cf. ep. ad Att. VI 1, 25 *putat suos nummos vos comedisse*, Juv. Sat. 1, 34 *ex nobilitate comesa quod superest*, Plaut. Most. I 1, 11, *quem absentem comes* (*comedis*), Bacch. IV 3, 105 *aurum quod in lustris comedim.* **ex impuro adulescente**, 'after a youth of lewdness.'

l. 5. **ab idiotarum divitiis**, 'from the riches of common folk,' i.e. which common folk enjoy. *idiotae* are the 'ignorant' 'uneducated,' 'inexpert,' ignorant of any particular art or science; as opp. to those who are versed in it, our 'layman.' Cf. or. in Verr. IV 2 § 4 *quae non modo hominem ingeniosum, intellegentem, verum etiam quemvis nostrum, quos iste idiotas appellat, delectare possent*, Lucian Hermot. c. 67 *οὐδέποτε ἂν φιλοσοφήσομεν ἀλλὰ δεήσει ἡμᾶς ἰδιώτην τινὰ βίον ζῆν ἀντὶ στάντας τοῦ φιλοσοφεῖν.* **reculam**, 'poor estate,' 'humble means,' an ironical diminutive, see n. on or. p. Planc. § 5 § 76. This is the emendation of Latendorf adopted by Halm[6] for the MS reading *regulam* 'discipline,' which might suit *delicti* the conjectural reading of Pantagathus for *divitiis:* see cr. n.

l. 6. **Graeculum**] another contemptuous diminutive, meaning 'a mere man of letters,' 'a mere scholar,' literary pursuits, as such, being despised by the Romans, as only fit for their degenerate Greek contemporaries. Cf. Juv. Sat. III 78, Cic. de orat. I § 48 *verbi controversia tam diu torquet Graeculos homines contentionis cupidiores quam veritatis*, ib. § 102 *quid mihi vos nunc tamquam alicui Graeculo otioso et loquaci quaestiunculam ponitis?* ib. § 221 *ineptum* ('a pedant') *et Graeculum.* Plut. vit. Cic. c. 5 *ταῦτα δὴ τὰ Ῥωμαίοις πρόχειρα καὶ συνήθη ῥήματα Γραϊκὸν καὶ σχολαστικὸν ἀκούων*, Minuc. Fel. Oct. c. 22 *rudes hominis multa docuit ut Graeculus et politus.* **otiosum**] properly 'a private person,' not employed in the public service, n. on de off. III § 1 l. 4; here = *σχολαστικός*, 'a man of letters.' l. 7. **dedidit**] 'gave himself wholly up to'

l. 8. **satiabant**] in a double sense; 'books were not enough to satisfy his appetite, he must have something else,' and 'he could not have too much of books.' See cr. n.

l. 11. **consenescebat**, 'was pining away;' when there was a state of peace and quiet, he could find no vent for his energy.

CHAPTER LII

l. 14. **princeps**] sc. fuerit or esset.

l. 16. **bene dixit? immo**, 'had a good word for, do I say? rather, I should say,' &c. See § 53 l. 25.

l. 18. **ut credo**] ironically, in which sense *credo* is generally used alone, § 44 l. 19, § 84 l. 5, or. p. Planc. § 38 l. 1. [The *u* may be caused by the *ui* of the preceding *qui*. J. S. R.]

l. 19. **plebicola**, 'a friend of the people,' an ironical allusion to the man's name Poplicola. **libertinam**] The marriage of an *ingenuus* with a *libertina* was not null, nor did it

entail *ignominia* on the former, nothing but social penalties. Liv. XXXIX 19, Rams. *R. A.* p. 103. 'The *lex Iulia* and the *Poppia Poppaea*' says Long 'prohibited the marriage of a senator and a senator's children with a *libertina*, but not the marriage of other *ingenui* with *libertinae*. But after the enactment of the law the marriage even of a senator with a *libertina* was a valid marriage; it only deprived the husband and wife of the advantages which this *lex* gave to married people. It was not till the time of Marcus Aurelius that a SCtum declared a marriage between a senator or a senator's children and *libertini* to be null.'

§ 111, l. 20. adfuit] i. e. *suffragiis ferendis*, at the comitia, § 110, l. 1.

l. 21. gratulationibus] § 54 l. 9.

l. 22. illo ore] sc. *impudico*, 'with that infamous mouth of his.'

l. 23. quasi—ita, 'just as though.' For other instances of *ita* in correlation with *quasi* see or. p. Mur. § 77 *quid quod, cum admoneris, tamen quasi tute noris, ita salutas?* in Verr. IV § 74 *quasi illa ipsa face percussus esset, ita flagrare cupiditate coepit*, de sen. § 82, or. p. Planc. § 55 l. 3 n., Nägelsb. lat. St. § 158, Sall. Jug. 85, 19.

l. 26. comedisti] § 110 l. 8. meo periculo—hellu-abare, 'was it at my cost that you were to play the prodigal?' was your wasteful extravagance to jeopardize me, by making you poor and so an enemy of mine?' gurges ac vorago] cf. § 98, Verr. 3 § 23 *immensa aliqua vorago est et gurges vitiorum turpitudinumque omnium.*

l. 28. si defendissem] on the use of the plup. subj. in secondary subordination to represent the future perfect, see Kenn. Gr. p. 485. In direct speech it would have been *si Cicero defenderit, nolo eum in civitate esse.* Cf. above § 48 l. 11.

aegregalis, 'comrades,' 'associates.'

l. 29. te nemo—videre volt] cf. or. p. Cluent. § 41, § 170, or. in Vat. § 2, § 39, or. in Pis. § 45, Hor. Sat. I 1, 84 *non uxor salvom te volt, non filius, omnes vicini oderunt, noti, pueri atque puellae.*

l. 31. gravis, 'steady,' 'sedate.' senili iudicio, 'with the judgment of an old man;' de sen. § 38 *adulescentem in quo est senile aliquid probo.*

l. 32. notavit, 'set a mark of disgrace on,' 'stigmatized,' 'branded.' in magno numero] sc. *tutorum.* tutorem instituit, 'appointed guardian,' by testamentary disposition. For the dative after *tutorem* cf. § 119 l. 22.

P. 55, l. 1. latus odio, 'impelled,' 'carried away by feelings of disgust,' for the usual *elatus.* Cf. Nep. Att. 10, 4 *Antonius tanto odio ferebatur in Ciceronem, ut* etc., or. in Verr. V § 121 *praeceps amentia ferebare*, or. p. Cluent. § 199 *caecam scelere ferri*, or. p. Quint. § 88 *ferri avaritia*, Tusc. III § 11 *effrenati ferantur aut libidine aut iracundia*, Sallust Cat. c. 3 *studio ad rempublicam latus sum.* But, as Mr Reid observes, some of these passages are not free from doubt; *elatus* is far more likely than *latus.*

l. 3. . quam dicendum fuit] sc. *mihi*, 'than I ought to have said.'

§ 112, l. 4. illuc revertor] to the subject spoken of in § 109.

l. 5. capta urbe atque oppressa] § 84.

l. 6. Titium] § 80. See or. p. dom. c. 9, de harusp. resp. c. 27. furias] § 84, l. 18.

l. 7. auctores fuisse] inf. depends on a *dico* implied in *illuc* (sc. quod dicere coepi) *revertor.* ipse lator] Clodius.

l. 8. ab horum turpitudine = *ab his turpibus.* sordibus, 'baseness' of behaviour as well as disposition.

l. 10. valetudinis excusationem, 'plea of ill health' as an excuse, causal genitive. Cf. or. in Pis. § 18 *excusatione te uti valetudinis*, or. p. Sull. § 26 *me neque honoris neque aetatis excusatio vindicat a labore*, or. p. Rabir. perd. reo § 8 *familiaris funeris excusatio*, or. p. Mur. § 47 *morbi excusationi.*

CHAPTER LIII

§ 113, l. 15. nuper] in the consulship of C. Julius Caesar and M. Bibulus, B.C. 59. tres minime] Cn. Domitius Calvinus, C. Ancharius, C. Fannius, the two former of whom were actually praetors in the year in which this speech was delivered, the third expected to be praetor.

l. 16. vehementer populares, 'extremely popular,' de off. I § 66 *res vehementer arduas*, II § 64 *vehementer utile*, § 65 *vehementer moderatum.* Draeger Hist. Synt. I p. 130 ed. 2. So ἰσχυρῶς in Greek, Xen. Anab. I 7, 15 διώρυχες βαθείαι ἰσχυρῶς, Herod. IV c. 108 γλαῦκον πᾶν ἰσχυρῶς ἐστὶ καὶ πυρρόν.

l. 17. genere] n. to § 90 l. 30.

l. 18. conductarum contionum] § 106 l. 17.

consistendi, 'keeping their footing,' 'maintaining their ground,' met. borrowed from wrestling, cf. § 127 l. 6, orat. § 30 *vel in forensibus causis possit praeclare consistere*, ib. § 98 *si semel constiterit, numquam cadet*, or. p. Cluent. § 198 *nullo in oppido consistendi potestas ei fuit*, or. p. Quinct. § 5 *veritas locum ubi consistat reperire non poterit.*

l. 19. **factos**] or. p. Planc. § 9, § 14. They were made praetors in the year in which the present speech was delivered.

l. 21. **prae se ferebat**, 'professed.'

l. 23. **nihil agere**, 'achieve nothing.' See n. to or. p. Planc. § 83 l. 8.

l. 24. **gratum**] see suppl. n. to my de off. 1 § 14 l. 16, ed. 6.

l. 25. **iam**, 'then again.'

l. 26. **in honoribus eius**, 'in regard to his candidature for state offices;' or. in Vat. § 10 *de te homines quid sentiant in honore experti sumus.*

§ 114, l. 27. **illi duo**] C. Alfius and P. Vatinius. Cicero expresses himself in high terms of the former in his speech for Plancius also, § 43, § 104. See my Introd. to that speech § 32.

l. 28. **quid egerunt**, 'how did they fare?' as in the common formula '*quid agis?*' 'how do you do?' **alter**] C. Alfius. **qui tamen**, observe the elliptic *tamen*.

l. 29. **tulerat nihil**, 'had not carried any measure,' only given energetic support to Caesar. **senserat tantum—aliud atque**, 'had merely held different political opinions from what people expected of him,' § 106 l. 13; *senserat = censuerat*, as often. On *alius atque* 'other than,' see n. to or. p. Planc. § 48.

l. 31. **videlicet**] not here as frequently in an ironical sense.

l. 32. **vero populo**] § 108 l. 8.

P. 56, l. 1. **in contione**] for in contionibus, as in § 127 l. 5.

l. 2. **eum locum**] the praetorship, as is remarked by the scholiast on or. in Vatin. § 38 where Cic. says, *ecquisnam tibi dixerit C. Caesarem nuper Aquileiae...dixisse, C. Alfium praeteritum moleste tulisse, quod in homine summam fidem probitatemque cognosset, graviterque etiam se ferre praetorem aliquem esse factum, qui a suis rationibus dissensisset.*

l. 4. **alter**] P. Vatinius. **ita se in populari ratione iactarat**, 'had given himself such airs as a democrat,' § 101 l. 2.

l. 5. **legem Aeliam**] § 33 l. 20. **senatus auctoritatem**] The most important rogations of the year B.C. 59 were brought direct before the people without previously consulting the senate. **consulem**] Bibulus, who, finding all other means of resistance to Caesar's land bill useless, declared he would raise a religious objection to the Comitia on every day that they might be held to the end of the year, but on the day of taking the vote was driven from the Forum and after that shut himself up in his house, from which he issued idle edicts protesting against the proceedings of Caesar and his tool Vatinius.

l. 6. **nihili putaret**] Kenn. Gr. p. 416 § 169, Madv. Gr. § 494 b *Obs.* 3.

l. 7. **bonis viris**] in a political sense. **hominibus primis**, i. q. primariis, principibus, 'foremost men,' 'persons of the highest rank:' so Tusc. 1 § 81 *primi hominis nepos*, or. in Verr. IV § 37 *ab Lysone Lilybaetano, primo homine*, II § 11 *homines nobilissimi primique*, § 23 *omnium Siculorum primi ac nobilissimi*, III § 168, Hor. Ep. I 20, 23 *primis urbis placuisse.* [praestantissimis is in agreement with *opibus* rather than *viris*. J. S. R.]

l. 8. **tribum suam non tulit**, 'did not carry, i.e. obtain the votes of, his own tribe.' See n. to or. p. Planc. § 48 l. 15. Vatinius belonged to the tribe Sergia, or. in Vat. § 36. The Palatina was one of the four city tribes: the other three were the Esquilina, Collina and Suburrana or Succusana. They were filled with a lower class and held in less esteem than the 31 country tribes. Cf. § 109 l. 16.

l. 9. **denique**, 'yes, even,' § 30 l. 28.

l. 10. **perdidit = non tulit**, 'failed in obtaining its votes,' although it was commonly said to be instrumental to their plots and conspiracies. **nec quicquam...tulit**, 'and he gained nothing that good men would have liked him to get, except a rejection,' and every good man was glad of this. [Cic. hints that good men would have been glad if the crowd had handled him roughly, as the crowd at some of the meetings he had taken part in had handled *boni viri*. J. S. R.]

l. 12. **ut ita dicam**] § 29 l. 7, § 32 l. 23.

l. 13. **iam**, 'by this time.' We have a similar contrast and play on words in de am. § 96 *itaque les popularis suffragiis populi repudiata est*, de leg. agr. II § 27 *hic homo popularis ne unam quidem populo comitiorum potestatem reliquit.*

l. 14. **qui respuat**] subjunctive in adjectival causal clause, Madv. Gr. § 366, Kenn. Gr. p. 461.

CHAPTER LIV

§ 115, l. 17. **oculorum coniectus**, 'intent look,' de orat. § 225 *coniectis oculis*, III § 222, or. p. Planc. § 21, Quint. X, 1, 101 *vultus mutatio oculorumque coniectus multum in actu valet*. With *animorum* we must supply *intentio* or *adiectio*: a zeugma.

l. 18. **remissiore**, 'less strict' than is required by the usus *forensis*. Cf. or. p. Arch. § 3 *a genere dicendi, quod non modo a consuetudine iudiciorum verum etiam a forensi sermone abhorreat*.

l. 19. **comitiorum et contionum** cet., 'the expression of popular opinion at the ordinary assemblies and public meetings is sometimes falsified and spurious. I quite allow that at theatrical and gladiatorial exhibitions it is said to be the practice to raise some applause, but that only feebly and sparingly by worthless hirelings; yet, when that is done, it is easy to see how and by whom it is done and how the honest part of the spectators behave.' On the substitution of the adjectives *theatrales gladiatoriique* for the genitives (§ 106) of the nouns, which is so common in Cic., see on § 124; on *omnino*, a stronger *quidem*, see n. to § 84, and cf. or. p. Planc. § 37 l. 31. l. 23. **cum id fit**, 'in that case.'

l. 24. **integra**=non corrupta.

l. 26. **maxime**=potissimum. **fallit**] see n. to § 106 l. 12.

l. 27. **hoc**, sc. plausum accipere.

l. 28. **homini gravi**] Cic. in a letter to Atticus (IV 5, 6) says that on entering the theatre he was received *magno et aequabili plausu*: and then adds, *sed hoc ne curaris: ego ineptus qui scripserim*, as if a man of consular rank ought to be indifferent to such matters. [Horace however mentions the *plausus* as an honor to Maecenas. J. S. R.]

l. 29. **pendet rebus levissimis**] cf. or. de l. agr. II § 66 *obscura spe et caeca expectatione pendere*, ib. § 80 *perlevi momento fortunae, inclinatione temporis pendere*, or. p. Flacc. § 4 *salutem nostram quae spe extrema exiguaque pendet*, ep. ad Qu. Fr. III 5, 3 *Caesaris promissis non valde pendeo*, Liv. II c. 7 *tam levi momento mea apud vos fama pendet?*

l. 30. **ut ipsi loquuntur, favore**] because *favor* was the technical term for 'applause' at theatrical and other exhibitions. According to Quintilian VIII 3, 34, this use of the word came into fashion in Cicero's time. [What Quintilian says is *favor et urbanus Cicero nova credit*. As *urbanus* is old enough and *favor* is used by Sallust, it is clear that Cic. can only have referred to special meanings of these words; in the case of *favor* this passage of the Sest. gives the clue; the new sense of *urbanus* was probably that of 'witty,' *δοκεῖος*. J. S. R.] See p. 278.

l. 31. **immortalitatem**, 'imperishable fame,' or. p. Planc. § 90. **mortem**] de off. II § 60 *clientes appellari mortis instar putant*, or. p. Flacc. § 19 *eos, quibus odio sunt nostrae secures, scriptura, decumae, portorium morti*.

§ 116, l. 32. **Scaure**] § 101 l. 30; Plin. N. H. XXXVI § 113 ff. gives a description of the unparalleled magnificence of his exhibitions as aedile in B.C. 58. See *Dict. of Gr. and Rom. Biogr.* vol. III p. 737.

P. 57, l. 3. **se populo**—**commiserit**, 'ventured to appear before the people.' Cf. below, § 124 l. 5 *se populo dedit*, or. in Pis. § 65 *da te populo, committe ludis: sibilum metuis*, Suet. Ner. c. 26 *se publico non committere*, or. in Verr. III § 49 *populo se ac coronae dare*.

l. 4. **maxime ludius**, 'arch pantomimist,' i.e. not literally =*histrio*, but one who takes a leading part in everything, with reference at the same time to the *ludi*. On the combination of adverb with substantive cf. § 93 l. 6, § 130 l. 11, and see Madv. Gr. § 301 c *obs.* 2.

l. 5. **acroama**, 'artiste,' 'virtuoso,' literally 'a thing heard,' applied properly to music, but also to a play, recitation, or entertainment of any kind; and next to the person who acts, recites, or entertains. See Reid's note on or. p. Arch. § 20 l. 30. **embolia**] another Greek word, signifying 'interludes,' 'ballets,' 'entrechats,' or anything interposed between two plays or acts, even to the gesticulation of *mimi* and dancing. **in coetum mulierum pro psaltria adducitur**, 'gains admission in the disguise of a female minstrel to a party of women,' at the house of Caesar's wife Pompeia, where the mysteries of the Bona Dea were going on: Introd. § 6.

l. 7. **ardenti**] a stronger expression than *florenti ac vigenti*.

l. 8. **vix vivus effugit**] on the day on which the decree of the Senate about Cicero's return was made in the Temple of Virtue, erected by Gaius Marius *de manubiis Cimbricis et Teutonicis*. See n. on or. p. Planc. § 78 l. 12. The senate always met in a *templum*, i.e. a place marked out and consecrated according to the rules of augural science. Beside the *curia Hostilia*, the temples of the Forum and the Capitol were used, esp. *templum Concordiae* (§ 26 l. 18). Antonius summoned the senate to the templum of Tellus, Cic. or. Phil. II § 89 ed. Mayor, *ib.* § 15 l. 18.

l. 11. **municipi eius**, 'his fellow-townsman,' Arpinum being the birthplace of both: or. p. Planc. § 20, § 21; or. p. Rosc. Am. § 67, § 105, below § 138 *suis civibus*. On the allusion see § 50, n. to or. p. Planc. § 20 l. 3; or. p. Sull. § 78 *eo municipio unde iterum iam solus huic urbi imperiaque missa est.* **monumentum**='public building.'

l. 12. **sedem—praebuisset**, i.e. **eum excepit eos qui de Ciceronis salute decreverunt.** **salutem**] § 89 l. 14. Paul suggests *praesidium*, Karsten *senatus consultum* for *sedem*.

CHAPTER LV

§ 117, l. 15. **sentire se ostenderet**] the pleonastic expression gives additional prominence to the idea of plainness of demonstration. [It is like de fin. I § 24 *eum Macedonum legatis accusantibus quod pecunias praetorem in provincia cepisse ostenderent*, to which there are many parallels. J. S. R.]

utroque in genere=in utramque partem, 'in both ways,' in their manifestation of regard for the senate (*primum—deinde—cum vero—declararunt*) and of their dislike for Clodius (*at cum ille—ciciebatur*). **declaratum est**=apparuit, § 124 l. 31.

l. 16. **rei ipsi**] § 84. Others read *praeconi, auctori, relatori*.

l. 18. **spectatum redeuntibus**] § 120 l. 28, § 123.

l. 19. **qui ludos faciebat**] § 116 l. 1. **consul**] P. Lentulus Spinther.

l. 20. **manibus passis**] to be taken with *stantes* which is subordinate to the participles *gratias agentes et lacrimantes*. On *stantes* cf. Prop. III 18, 18 *stantiaque in plausum tota theatra fremunt*, Cic. ep. ad Att. II 19, 3 *inimici erant equitibus qui Curioni stantes plauserant*, de amic. § 24 *stantes plaudebant* with Reid's note, to which he now adds Valer. Max. IV 5, 1. [*Et* after *stantes* seems a necessity; the asyndeton *stantes—agentes* is entirely unlike Cic. The case of *petenti—sedenti* below is rendered quite different by the *ne quidem*. J. S. R.]

l. 21. **lacrimantes gaudio**] § 120 l. 30 *flens recenti laetitia*.

l. 22. **furibundus**] § 15, l. 28.

l. 23. **incitata**, 'under excitement' because of the decree of the Senate. **venisset**, sc. e senatu in theatrum.

l. 25. **quidem**] adversative, § 15 l. 27.

l. 26. **palmarum intentus**, 'stretchings out of hands' i.e. with menacing gestures, Tac. Ann. I 27 *manus intentantes*. We must supply some verb by zeugma for *profuderunt*. **maledictorum clamorem**, 'loud invectives.' The gen. of the subst. for adj., see n. on 57 l. 22, § 88 l. 32.

§ 118, l. 28. **ego commemoro**] Madv. Gr. § 353. **ex servitute**, 'after slavery' § 110 l. 8, § 131 l. 26.

l. 29. **dispicientis**, 'having a glimpse of,' 'perceiving with difficulty.' **in eo homine**, 'in the person of,' 'when the question was about, that man,' see n. on § 7, § 24, § 103 l. 32. **tum petenti**, 'at that time, viz. when he was a candidate for the aedileship,' § 63 *tum me expulso*. [i.e. though he might become their master by getting control over the *ludi*. J. S. R.]

l. 31. **togata**] sc. *fabula*, a play of Afranius, who flourished about B.C. 100 and was the first to compose dramas with Roman subjects (*togatae*), in which the national dress and manners predominated, as opp. to *palliatae*, in which Greek characters and Greek dresses were introduced.

l. 32. **Simulans**=Gr. *Εἴρων*, 'the Pretender,' a play of Afranius acted in B.C. 56, the same year as the *Eurysaces* of Accius. Koch takes *simulans* with *caterva* in an ironical sense. **ut opinor**, § 48 l. 20 *regis, opinor, Erechthei, filias*. **caterva**, i.q. *grex*, 'troupe,' 'company of actors'; de orat. III § 196 *ut a multitudine non modo catervae atque concentus* ('choirs') *sed etiam ipsi sibi singuli discrepantes eiciantur*.

P. 56, l. 1. **in ore**, 'looking him full in the face.' **imminens**, 'bending towards him.' Cf. de orat. II § 225 *quae fuit illa, quam repentina vis, cum coniectis oculis, gestu omni imminenti, summa gravitate et celeritate verborum* 'Brute, quid sedes?' *etc.*

l. 3. **huic—vitae**] construe, *huic, Tite, vitiosae vitae post tua principia atque exitus* ('continuation,' 'outcome,' quae ex principiis exierunt et secuta sunt). But the text of the passage is uncertain: see Ribbeck *Com. Rom. Fr.* p. 208 ed. 2, who quotes it thus:—

hasc, taetérrime, vilis
sunt póstprincipia atque éxitus [*malae*] *vitiosae vitae.*

Müller simply gives the MS reading, *huic tite tua póstprincipia atque éxitus Vitiósae vitae.*

l. 5. **cantorum convicio**, 'loud cries of his (hired) brawlers.' Cf. Plut. Pomp. c. 48, 7: *ἀνεχώρει* (Κλώδιος) *τῶν Παμπτίνου διατάξεων ἐνίας ἀναιρῶν...τέλος δέ, προελθόντος αὐτοῦ πρός τινα δῆμον, ἔχων ὄφ' αὑτῷ πλῆθος ἀνθρώπων ἀσελγείας καὶ ὀλιγωρίας*

μεστὸν αὐτὸς μὲν εἰς ἐπιφανῆ τόπον καταστὰς ἐρωτήματα τοιαῦτα προὔβαλε· 'Τίς ἐστιν αὐτοκράτωρ ἀκόλαστος; τίς ἀνὴρ ἄνδρα ζητεῖ; τίς ἐνὶ δακτύλῳ κνᾶται τὴν κεφαλήν'; οἱ δὲ, ὥσπερ χόρος εἰς ἀμοιβαῖα συγκεκροτημένος...ἐφ' ἑκάστῳ ('at each question' of Clodius) μέγα βοῶντες ἀπεκρίναντο 'Πομπήϊος.' *convicium* connected with *vox* means 'a din of many voices together.' 'For the standing declamations the tried throats of the theatrical staff were an article in much request. This is the meaning of *cantorum convicio contiones celebrare.*' Mommsen Hist. Rom. IV p. 308.

l. 6. **celebrare**, 'to enliven.' **cantorum ipsorum vocibus**, 'a chorus of (real) stage singers.' Hor. Ars Poet. l. 155 *donec cantor vos plaudite! dicat.* Cf. or. p. Rosc. com. § 30: *quod nuper in Erote comoedo usu venit, qui posteaquam e scena non modo sibilis, sed etiam convicio explodebatur, confugit in huius domum.*

l. 7. **eiciebatur**, stronger expression than *explodebatur*, 'was hooted off,' de off. 1 § 148 n., de orat. III § 196.

l. 8. **ne—quidem**, 'neither,' 'also not,' or. p. Planc. § 53 l. 4. **in magna varietate**, 'notwithstanding the great variety,' Cic. de off. II § 4 l. 17, § 29 l. 31.

l. 9. **sententiarum**] in the play.

locum, 'topic,' 'passage.'

l. 10. **cadere in**, 'to fit,' 'suit,' de off. III § 14 n.

l. 11. **quod**, the subject of *fugeret*, 'escaped the observation of,' is also the object of *exprimeret*, 'gave prominence to.'

l. 12. **actor**] sc. *primarum partium.*

§ 119, l. 12. **hoc loco**, 'at this point.' For the apology cf. or. p. Arch. § 32.

l. 14. **labi**, 'to slide into.' Cf. ὑπορρεῖν in Plut. Nic. c. 1, 3.

l. 15. **in iudicio**, 'in a court of justice.' **loquar**] future indic. not present subj.

CHAPTER LVI

l. 16. **insolens**, 'unaccustomed,' de orat. 1 § 207 *quorum sum ignarus atque insolens*, Sallust Cat. c. 3 *insolens malarum artium.* **omni ex genere**, 'from all possible subjects.'

l. 17. **ut orationem aucuper**, 'as to be on the look-out for subject matter.' **omnis flosculos**] 'all kinds of flowers' (of rhetoric). So πᾶς = παντοῖος, cf. § 39 l. 9, § 53 l. 13.

undique, 'from all quarters.' Cp. Hor. Carm. I 7, 7 *undique decerptam...olivam* i.e. 'gathered from every side.'

l. 19. **advocatio**, in concrete sense, 'a body of supporters' see my n. to de off. I § 32 l. 7, and Dr Reid on or. p. Sull. § 6 l. 29. **ille conventus** = *illa circumstantium civium corona* 'the public present in court.'

l. 20. **aetas**] Cic. was then in his 51st year. **honos**] a *vir consularis.*

l. 22. **iuventuti**] dative of purpose after verbal substantive, Roby Gr. II § 1156. Cf. or. de leg. Man. § 70 *non quo mihi aut praesidia periculis aut adiumenta honoribus quaeram.* The sentence = *institui docere iuventutem;* hence the subjunctive of oblique question follows, *qui essent optimates.*

l. 24. **universi populi iudicium**, 'public opinion.'

l. 25. **intimos sensus**] § 22 l. 26.

§ 120, l. 26. **quid fuit illud quod**, 'what a grand thing it was that!' not 'how came it that?' (*Wolff, Koch*) or 'what was the reason that?' (*Osiander*), or 'what must I say of this, that?' (*Long*). It is an exclamation, not a question.

l. 28. **ludos scaenamque** = ludos scenicos, § 106 l. 16.

consessu maximo] § 12 l. 3, § 33 l. 2.

l. 29. **summus artifex**, 'most accomplished master of his art,' viz. Aesopus, the tragic actor, see Hor. Ep. II 1, 81, Sat. II 3, 239. [*Artifex* is the only word in Latin for 'artiste.' *Artificium* is in Cic. continually convertible with *ars.* J. S. R.]

partium, in double sense 'rôle,' and 'party,' 'faction.' So without any play on the word, or. p. Cael. § 13 *quis civis meliorum partium aliquando?* ib. § 33 *civem bonarum artium, bonarum partium*, Corn. Nep. Att. c. 6 *in rep. ita versatus est, ut semper optimarum partium et esset et existimaretur.* For the use of the genitive of quality without an appellative see n. to or. p. Planc. § 52 l. 11.

l. 30. **tam quam** = *non minus quam*, 'no less...than,' 'as well as;' so ep. ad Att. 4, 1, 5 *quod video tibi etiam novom accidisse tamquam mihi*, Auct. ad Herenn. 4 § 29 *si lenones vitasset tamquam leones.*

l. 31. **mixto**, sc. cum laetitia 'with a mixture of joy and pathetic longing.' **egit**, both as actor and as advocate.

p. 170, § 102. The line is according to the Scholia Bobiensia from his play of Eurysaces, son of Ajax son of Telamon.

l. 2. arte, = especially 'gesture,' which was what the Romans most admired in acting.

l. 3. dolore = flebili voce. exprimebat] § 118 l. 12.

l. 4. qui] Aiax. certo, 'determined,' 'resolute.'

l. 5. statuerit] poet. for stabiliverit.

l. 6. vobiscum stetisse, 'stood by you,' 'took your side.'

l. 7. revocabatur] a theatrical term, 'was encored,' so § 123 l. 27, or. p. Arch. § 18, Liv. VII 2, 9, Valer. Max. VI 2, 9.

l. 10. quantis clamoribus, 'amid what great shouts of applause,' de am. § 24 *qui clamores tota cavea nuper in M. Pacuvi nova fabula!* Brut. § 164 *nulla est altercatio clamoribus umquam habita maioribus.* haec—agebantur] these words refer to the quotation *re dubia pepercerit.*

§ 121, l. 11. omisso gestu, 'neglecting, being indifferent to, his action,' and thinking only of the poet's words which were applicable to Cicero's condition. studio actoris] who by the intonation of his voice made the allusion to Cicero's case so plain. exspectationi nostrae = spei meae reditus.

l. 12. plauderetur] impers. 'the audience applauded,' § 10 l. 1.

l. 14. nam illud, 'for as to what follows' viz. the words *summo ingenio praeditum.* On the elliptic use of *nam* see § 19 l. 13, § 26 l. 20, § 95 l. 31.

ipse—adiungebat etc.] sc. de suo, 'added himself' from feelings of friendship.'

l. 15. homines] § 28 l. 19, § 71 l. 13, § 105 l. 2.

CHAPTER LVII

l. 17. iam, 'moreover.' illa, 'the following words.'

l. 18. in eadem fabula. There is a difficulty about these words, because the following line *haec omnia vidi inflammari* is certainly from the *Andromache*, a tragedy of Ennius. The best solution of the difficulty is to suppose with O. Ribbeck (*quaest. scenic.* 328 sq., *tragic. rom. fragm.* p. 26), that Aesopus transferred this line of Ennius in acting the *Eurysaces* of Accius with proper alterations, just as in l. 16 he had

allowed himself to add *summo ingenio praeditum* to the praise of Cicero. The often-quoted lines from the *Andromache Aechmalotis* are as follows:—

O pater, o patria, o Priami domus,
saeptum altisono cardine templum!
vidi ego te astante ope barbarica
tectis caelatis laquatis,
auro, ebore instructam regifice.
Haec omnia vidi inflammarei,
Priamo vi vitam evitarei,
Jovis aram sanguine turparei;

where *pater* refers to Eetion Andromache's father, who was slain by the Achivi at the taking of his city the Cilician Thebes. The exclamation *o pater*, says Cic., recalled to the memory of the people the man who had been greeted with the title *pater patriae.*

l. 21. Q. Catulus] § 101 l. 9.

l. 22. patrem patriae] or. in Pis. c. 3, Plin. N. H. 7, 31, § 177, Iuv. Sat. VIII 244. fletu, 'emotion,' sub. egit or dixit; see n. to or. p. Planc. § 76 l. 20, Nägelsb. lat. Stil. § 9, 3.

l. 23. patrem pulsum] Ribbeck shows that this might have been the subject of a speech in the *Eurysaces* by reference to Cic. Tusc. III § 39: *quid ergo? huiusne vitae propositio et cogitatio aut Thyestem levare poterit aut Aeetam aut Telamonem* (the grandfather of Eurysaces) *pulsum patria, exsulantem atque egentem? in quo haec admiratio fiebat:*

Illicine est ille Telamon, modo quem gloria ad caelum extulit? quem adspectabant? cuius ob os Graii ora obvertebant sua?

l. 26. se convertisset] i.e. from the stage to the audience.

l. 28. invidia, used substantively, 'ill-wishers,' 'detractors,' cf. § 145 l. 15 and see n. to or. p. Planc. § 1 l. 6.

§ 122, l. 29. quid? illa] 'what of this? how did he deliver this line?' viz. that which follows l. 3 p. 60.

l. 31. praeclare posse dici, 'might very well have been uttered.'

l. 32. libere, 'boldly,' 'openly,' § 4 l. 19.

P. 60, l. 3. o ingratifici etc.] this and the verse quoted in l. 12 are also taken from the *Eurysaces* of Accius. inmunes, 'disobliging,' 'unfriendly,' lit. free from *munia* (λειτουργίαι), 'duties towards the state.' Cf. de am. § 50 *non est inhumana virtus neque immunis neque superba*, Plaut. Trin. II 2, 69

(350) *civi immuni scis quid cantari solet?* ib. I 1, 2 (24) *amicum castigare immoenest facinus.* So in old Latin *munis* = 'obliging,' Mercat. prol. 105 *dico eius pro meritis gratum me et munem fore.*

l. 4. illud] referring to the preceding line. non enim ingrati sed miseri, sc. erant, § 131 l. 6.

l. 6. quibus—non liceret] subjunctive in a causal clause. unus—universi] or. Phil. III § 6: *quis enim unus fortior, quis amicior umquam reip. fuit, quam legio Martia universa!*

l. 7. sed tamen = Gr. ἀλλ' οὖν, 'but, be that as it may.' illud, 'the following verse.' Cic. corrects himself after quoting the first line, as if applicable to himself (*pro se*), by which he would appear to reproach his countrymen with ingratitude, whereas they were, he says, unfortunate rather than ungrateful. The next line, however, was so relevant to his own case that the poet must, he says, have written it for him.

l. 8. actor] in twofold sense, as *egit* in § 120 l. 31.

l. 9. cum demonstraret = demonstrans, as in § 126 l. 30 *numquam est conspectus cum veniret*, i. e. 'coming.'

l. 12. sistis = sivistis, cf. § 44 l. 21.

l. 13. significatio] § 105 l. 32.

l. 14. ab universo p. R.] abl. of the agent after verbal noun *declaratio.* Cf. § 64 l. 1. in causa] § 102 l. 32.

l. 15. non popularis] ironically, as adding point to his refutation of the opinion of his enemies about their own popularity. equidem audiebam, 'I for my part go by hearsay;' § 72 l. 30 *vos haec melius scire potentis; equidem audita dico.* [existimare: perhaps a reference to the sense *iudicare*, which has misled some of the writers of the inferior mss to put *aestimare.* J. S. R.]

CHAPTER LVIII

§ 123, l. 16. et quoniam] The sentence beginning with *histrio etc.* is only a recapitulation of what precedes, the fresh point to which Cic. here draws attention is contained in the question *utrum haec Aesopum* etc. huc, 'to this point,' 'so far.'

l. 17. totiens—ut, 'in so many passages of the same tragedy, that etc.'

l. 18. dolenter, 'pathetically,' § 14 l. 8, cf. § 120 l. 8.

l. 19. illa, 'that famous voice.'

l. 20. ingenia, 'talent.' tempori meo] Cic. frequently uses *tempus, tempora* in speaking of his banishment, fall and sufferings. See n. to or. p. Planc. § 1 l. 5 n., § 79 l. 29, There may be a ref. to Archias here.

l. 22. utrum dicere oportuit, 'ought they to have spoken?' Roby Gr. II § 1366.

l. 24. liber] § 14 l. 11. principes civitatis] § 40 l. 32.

l. 25. Bruto] a *tragoedia praetextata* of Accius, in which the name of Tullius occurred, doubtless King Servius Tullius, the founder of Roman liberty.

l. 26. stabiliverat] § 143 l. 30.

l. 27. revocatum est, sc. hoc dictum, § 120 l. 7. parumne] § 32 l. 23. iudicare, 'to pronounce its verdict')(*criminarentur.* l. 28. id, sc. libertatem.

l. 29. sublatum per nos] Cic. often had to bear the reproach of having established a tyranny, cf. or. p. Sulla § 21 *quo in magistratu* (the consulship) *non institutum est a me regnum, sed repressum*, or. in Vat. § 23. Clodius dedicated a small part of the area of Cicero's mansion on the Palatine, when he had demolished it, to erect thereon a temple to *Libertas* or to Licence, as Cic. says de legg. II 17.

§ 124, l. 30. maximum iudicium, 'the strongest expression of opinion,' or. Phil. I § 36 *quid? Apollinarium ludorum plausus vel testimonia potius et iudicia populi Romani parum magna vobis videbantur?* § 129 l. 20.

l. 31. universi] this being the significant word is placed at the end of the proposition, so below l. 11, § 125 l. 24, l. 25. consessu gladiatorio, for *ludorum gladiatorumque consessu* (§ 105 l. 16), a temporal ablative, Kenn. Gr. p. 400. Cf. § 115 l. 20; so *tempus gladiatorium*, § 125 l. 16.

l. 32. munus, sc. gladiatorium: 'show,' 'exhibition,' § 135 l. 28. The gladiatorial shows were originally *ludi funebres*, and are said to have been imported from Etruria to Rome. See Ramsay, *R. A.* p. 358. [Down at least to the end of the Republic the *ludi gladiatorii* were always *ludi funebres* in theory, though the person in whose honour they were ostensibly given might have been very long dead. They were not exhibited by public magistrates till the time of Augustus, who revoked the arrangement, after which it was resumed by Claudius. J. S. R.]

Scipionis] P. Cornelius Scipio Nasica, who became on his adoption by Q. Metellus Pius, the son of Numidicus, Q. Caecilius Metellus Scipio. He was consul in B.C. 51 and father-in-law of Pompeius; on his defeat by Caesar in Africa he died by his own hand. See no. 21 in the pedigree of the Scipios, or. p. Planc. p. 94.

Q. Metelli] Quintus Metellus Pius, son of Numidicus, cos. B.C. 80. See or. p. Planc. p. 187.

P. 61, l. 1. cui dabatur, 'in whose honour it was being given,' although he died several years before, as we learn from Dion Cass. 37, c. 37. [In or. p. Sull. §§ 54, 55 mention is made of a *manus* enjoined on Faustus Sulla by his father's will to be given at a fixed time many years after the death of the Dictator. J. S. R.]

l. 2. omni frequentia...celebratur, 'is attended by a concourse of people of all sorts and conditions;' de orat. I § 200 *vestibulum quod...maxima cotidie frequentia civium celebratur.* [quo—delectatur: the words as they stand have a great appearance of being a gloss. Possibly Cic. wrote *at* after *celebratur*. J. S. R.]

l. 5. se populo dedit] 'appeared before the people.'

l. 7. inimici] § 15 l. 29.

l. 8. a columna Maenia] which stood at the south entrance to the Forum, § 18 l. 31.

l. 9. usque a Capitolio] i.e. from the opposite or north-west side of the Forum.

spectaculis, 'stands' for seeing the games from, or. p. Mur. § 72 *at spectacula sunt tributim data*, Liv. I 35, 8 *ubi spectacula sibi quisque facerent...spectavere furcis spectacula alta sustinentibus*, XLV 1, 2 *murmur populi tota spectacula pervasit*, Ov. Met. X 668 *resonant spectacula plausu*, Tac. Ann. XIV 13 *exstructos, qua incederet, spectaculorum gradus, quo modo triumphi visuntur.*

l. 10. cancellis] Gr. κιγκλίδες, δρύφακτοι; a temporary railing to mark out the place for the games. See or. Verr. II 3 § 135. [The Forum was during the Republican period the regular place for the gladiatorial exhibitions. J. S. R.]

§ 125, l. 13. aliusne aliquis] § 53 l. 32.

l. 14. peculiaris est, 'is there some other people belonging particularly to the disaffected citizens, whose dislike and enmity I have incurred?'

l. 15. offensi, 'odious.'

CHAPTER LIX

l. 17. illud] sc. tempus, emphatic; cf. or. Phil. VI § 13 *in foro L. Antoni statuam videmus, sicut illam Q. Tremuli, qui Hernicos devicit.* Observe the double genitive dependent upon *tempus, contionis* that of the subject, while *populi* belongs to the predicate=*tempus contionis non est tempus frequentissimi populi.* contionis—comitiorum] Ramsay *R. A.* pp. 104—5.

l. 18. neque vero, 'nor indeed,' 'and not even,' 'much less,' § 36 l. 18.

l. 20. tanta] § 124 l. 30. sine ulla varietate] § 74 l. 32. universi] § 124 l. 31 n.

l. 21. de me actum iri] the student must guard against translating this, 'that it would be all over with me,' as Osiander does. de me=de meo reditu, 'that there would be a debate about my restoration from exile.'

l. 22. optimorum] § 2 l. 21, § 8 l. 21.

§ 126, l. 23. at vero, 'but certainly:' the addition of *vero* to *at* strengthens the contrast, § 139 l. 7, § 140 l. 24.

l. 24. ille praetor] Appius Claudius Pulcher (eldest son of Appius Claudius Pulcher, praetor B.C. 89, or. p. Arch. § 9, or. p. dom. sua § 83, and therefore brother of Publius), praetor B.C. 57, cos. B.C. 54, censor B.C. 50, of whose *temerariae contiones* Cic. complains even after his restoration, ep. ad Att. IV 3, 4. See § 77 l. 9. Cf. or. p. Mil. § 39, or. in Pis. § 35 *de me cum omnes magistratus promulgassent praeter unum praetorem, a quo non fuit postulandum, fratrem inimici mei*, Dion Cass. XXXIX 6, 7. proavi] Appius Claudius Pulcher, cos. B.C. 143, whose daughter was married to Tiberius Gracchus.

non—maiorum instituto, 'not after the fashion of his ancestors,' in whose time public meetings (*contiones*) were of a more tranquil character, while the multitude merely listened in silence to the speech of the person by whom they had been called together, or those whom he introduced to their notice, but at no time could a *privatus homo* come forward and address the *contio* without permission of the presiding magistratus. [The innovation lay in addressing a question to the *contio*. J. S. R.]

l. 25. **Graeculorum**] a contemptuous diminutive, § 110 l. 6. Cf. or. p. Flacco § 15 *Graecorum totae res publicae sedentis contionis temeritate administrantur: itaque illa vetus Graecia, quae quondam opibus imperio gloria floruit, hoc uno malo concidit, libertate immoderata ac licentia contionum.* The whole chapter furnishes an excellent commentary on republican institutions.

l. 26. **velletne**] sc. contio.

l. 27. **erat reclamatum** cet., 'languid shouts of disapproval were raised by the hirelings present.' Or. Phil. v § 22 *cum suis promissis legiones fortissimae reclamassent*, vi § 12, ep. ad fam. i 2, 2 *eius orationi vehementer ab omnibus reclamatum est*, iv § 5 *reclamatione vestra factum comprobavistis.* **semivivis**] i.e. languidis, 'feeble,' not hearty, as if they were not much interested about it.

l. 29. **gladiatores**, 'gladiatorial shows,' § 133 l. 6. So we find *gladiatoribus* for *ludis gladiatoriis*, ep. ad Att. ii 16, 11 *et ludis et gladiatoribus mirandas ἐπισημασίας auferebamus*, ib. ii 9, 3. **numquam est conspectus cum veniret**, 'never let himself be seen coming,' § 122 l. 9.

l. 30. **emergebat** cet.] Intulit versum de fabula Pacuviana, quae sub titulo Ilione fertur. In ea est quippe argumentum ita dispositum, ut Polydori umbra secundum consuetudinem scaenicorum ab inferiore aulaei parte procedat et utatur hac invocatione matris suae, quam sordidatus et lugubri habitu, ut solent qui pro mortuis iuducuntur, filius implorabat. Verum sub hoc exemplo intellegi vult Appium Claudium male sibi conscium et populo graviter offensum, obscure solitum venire ad spectacula, ne iratae multitudinis impetus experiretur. Sic ergo veniebat, inquit, ut solent umbrarum figmenta subrepere. SCHOL. BOB.

[**sub tabulas**, i.e. he invented a sort of *Χαρώνεια κλίμακα* for himself. It is not easy to see what exact sense should be given to *sub tabulas*, in view of the actual construction of the theatre. J. S. R.] Perhaps a wooden temporary amphitheatre.

l. 31. **mater te appello**] According to the tradition followed by Pacuvius, Iliona daughter of Priam and Hecuba, wife of King Polymestor, was at the beginning of the Trojan war entrusted with the care of her youngest brother Polydorus, whom she brought up as her own son, while she made believe that her own son Deïpylus (Deïphilus) was Polydorus. After the destruction of Troy the Greeks anxious to exterminate the race of Priam bribed Polymestor to kill Polydorus and so he killed his own son. In the passage quoted the ghost of Deïpylus

appears to his mother in her sleep, beseeching her to bury his body.

ut—dicturus videretur, 'so that he looked as if he were going to utter the words of the ghost of Deïpylus, "Mother, to thee I cry for help."'

P. 62, l. 1. **iam vocabatur**, 'was henceforth getting to be called.' There is of course an allusion to the great *via Appia*, the *regina viarum*, commenced by Appius Claudius Caecus censor B.C. 312, which connected Rome with Brundusium. On Cicero's fondness for fathering his own jokes on the public, *ut, quo essent magis vulgaria, eo esset credibilius illa ab oratore non ficta sed passim esse iactata* Quintil. vi 3, 3, see Macrob. Sat. ii c. 3 and cf. n. on § 72 l. 23.

l. 2. **equi**] i.e. of the *andabatae* who rode on horseback and of the *essedarii*, who fought from Celtic war chariots (*esseda*).

l. 3. **extimescebant**, 'took fright' at the noise of the hisses of the spectators. Ovid Trist. iv 2, 53 *ipse sono plausuque simul frremituque canentum | quadrifugos cernes saepe resistere equos.*

§ 127, l. 5. **omni odio**] § 28, l. 27: cf. § 117, l. 24.

l. 6. **consistere**] see n. on § 113, l. 18. **operarum**] § 18 l. 1, § 28 l. 30.

l. 7. **significatione**] § 105 l. 32, § 122 l. 13.

l. 9. **tu mihi** cet.] The prosecutor M. Tullius Albinovanus appears to have drawn a contrast between the patriotism of Marcus Atilius Regulus and the egotism of Cicero. Regulus would not stay at Rome, while his fellow-captives were in the hands of the enemy: Cicero rather than stay in exile effected his return by violence and the aid of armed men. Cicero meets the objection by denying the use of force in effecting his return, which, he says, took place amid general popular enthusiasm: this gives him the opportunity of a detailed description of the circumstances which accompanied his restoration.

l. 11. [**iis invitis**, 'against their will,' Jeep's conjecture for the vulgate *sine eis captivis*, i.e. while his fellow-captives were in the hands of the enemy, cannot be right. It does not fit in with the story, according to which what deterred Regulus from remaining was not the opinion of the prisoners left behind, but his own determination that none of the prisoners should be ransomed. The proper sense would be given by *salvis captivis*, which though not so near the MSS as I should like, is at least

as near as Jeep's emendation. Regulus might have advised the senate to save the prisoners, in which case he might have remained at Rome. It is very curious that Cic. himself in the *de off.* as well as other writers say his mission concerned the release or exchange of Carthaginian prisoners. J. S. R.] The story of Regulus' mission to Rome by the Carthaginians to procure an exchange of prisoners is not found in Polybius, it is summarized in the epitome of Livy 18. With Cicero it is a commonplace, and is told at length in the de off. III § 99 *iuratus missus est ad senatum, ut, nisi redditi essent Poenis captivi nobiles quidam, rediret ipse Karthaginem.* Cf. Horace Od. III 5, 13 ff.

l. 12. **mihi negas optandum—fuisse**, 'you say that it ought not to have been desired by me.'

l. 13. **familias**, sc. gladiatorum (§ 9 l. 31), in reference to the fight between the partisans of Sestius and Clodius on the 22nd of January.

CHAPTER LX

l. 15. **scilicet**] ironical, 'naturally.'

l. 16. **nihil egi**, 'effected nothing,' 'did no good.'

§ 128, l. 17. **repudiarem**] § 78 l. 10, § 89 l. 21.

l. 18. **florens**] § 105 l. 32, § 131 l. 4, § 136 l. 25. **ne qui**] for *ne quis*, Madv. § 456. **studio gloriae**] § 124 l. 6 *plausus cupiditate.*

l. 19. **idcirco—ut**, 'on purpose that,' § 108 l. 5, § 84 l. 8.

l. 20. **nisi me**] i.q. praeter me, 'except me,' Madv. Gr. § 442 *obs.* 2.

l. 22. **publice**, 'officially,' § 41 l. 5. **sociis**, 'provinciais.' **gratias egit**] see or. p. Planc. § 78 l. 15.

l. 24. **qui provincias cum imperio obtinerent**] proconsuls and propractors: quaestors and legati had no *imperium.*

l. 27. **consularibus**, i.e. of the consul P. Lentulus, § 50 l. 7, or. p. red. in sen. c. 9.

cuncta ex Italia] § 26 l. 14, or. p. red. in sen. c. 9.

l. 28. **salvam**] sc. *esse.* **convocarentur**] to vote in the comitia.

l. 30. **unius mea**] Madv. Gr. § 297 *a.* For the order of words cf. ep. ad Att. XI 15, 2 *solius enim meum peccatum corrigi non potest.*

l. 32. **requisivit** = desideravit, 'sought in vain for,' 'missed,' or. p. Planc. § 93 l. 2. **luxit**] sc. magis. Mr Reid suggests that *aeque* has fallen out after *quem.*

P. 62, l. 1. **discessu meo**] Madv. Gr. § 276 *obs.* 2.

l. 3. **in publicis monumentis**] § 9, § 10, § 32.

CHAPTER LXI

§ 129, l. 6. **nam quid ego**] § 95 l. 31. **senatus consulta**] (1) that *in templo Virtutis* (§ 116) the purport of which is given in § 128; (2) that in the temple of Jupiter on the Capitol § 129; (3) that passed on the following day in the Curia '*ne quis de caelo servaret*,' of which the resolution mentioned in § 130 init., as the words *eodem tempore* l. 26 show, formed a part.

l. 8. **vir is**] Gnaeus Pompeius, who triumphed first in B.C. 81 for his victories in Africa, next in B.C. 71 for those in Spain over Sertorius and Perperna; again in B.C. 61 after his great achievements in the East over Mithridates (Plut. Pomp. c. 45). Cf. or. p. Balb. § 16 *cuius tres triumphi testes essent totum orbem terrarum nostro imperio teneri.* Translate: 'the hero who indicated that three separate extremes and divisions of the world had been added to our empire by his three triumphs.'

l. 9. **oras atque regiones** = terras extremas, cf. § 67 *orbis terrarum terminis.*

l. 10. **notavit**] or. in Vat. § 34 *haec omnia publicis tabulis esse notata atque testata.* [*notavit* can hardly be right. Possibly Cic. wrote *continuavit.* J. S. R.]

de scripto dicta, 'delivered from a written copy,' a mark of greater care and earnestness; otherwise the practice was unusual in the Roman senate. For other instances see or. p. Planc. § 74 l. 33 with my note.

l. 12. **frequentissimus**] according to the or. p. red. in sen. there were 417 senators present. **ita...ut unus dissentiret hostis**, 'without any expression of dissent except from one man (Clodius) and he was my open enemy.' Cf. or. p. red. in sen. § 26 *quo quidem die, quum* CCCCXVII *ex senatu essetis, magistratus autem hi omnes adessent, dissensit unus, is qui sua lege coniuratos etiam ab inferis excitandos putarat.*

l. 13. **tabulis publicis**] in which the *acta diurna* of the senate were registered.

l. 17. **admonitu**] Such rumours got abroad probably in the *contio* held on the day after the sitting of the senate, in which

principal purport of the negotiation in the Capitol would communicated.

ne quis de caelo servaret, 'that no person should attempt stop the proceedings in Cicero's favour by an *obnuntiatio*.' *lex Aelia et Fufia* was suspended, if not repealed, by Clodius B.C. 58, but the old practice seems to have been resumed in te of its prohibition, as we have several instances of *obnuntiationes*, see § 78 l. 4, § 79 l. 21, § 83 l. 20 and cf. Phil. I § 25, II 31, § 83. The legality of the *leges Clodiae* was always contel. Ramsay *R. A.* p. 118, Pretor Cic. ep. ad Att. p. 102.

l. 18. moram, 'let,' 'hindrance,' § 74 l. 5.

l. 19. fecisset] § 45 l. 2, § 55 l. 32. *eum* refers to *si quis* = qui. eversorem rei publicae] or. p. red. in sen. § 27 *illum contra rem p. salutemque bonorum concordiamque civium facturum.*

l. 20. ut—referretur, 'that his proceeding should forthwith be laid before the senate for their consideration.'

l. 21. cum, 'although.' On gravitate cf. § 115 l. 28.

l. 22. tamen] i.e. etsi viderī poterat senatus satis providisse, ut posset iam nomine impediente ad populum ferri, tamen, ne quid non provisum esset, addidit etc. MADVIG.

l. 23. diebus quinque, sc. comitialibus (§ 34 l. 18), not five continuous days.

quibus agi de me potuisset, 'on which my case might have been discussed.'

CHAPTER LXII

§ 129, l. 28. ad res redeuntes = ad illam diem cum res redissent, 'when the business of the forum and comitia was resumed after an adjournment' (*res prolatae*); in the present instance at the expiration of the *trinundinum* after the *promulgatio* of the law. See Ramsay *R. A.* p. 118. Lambinus compares Plaut. Capt. I 1, 17 *prolatis rebus parasiti venatici sumus; quando res redierunt molesici.*

l. 29. haec erat studiorum contentio, 'so eager was the competition in promoting my return.'

l. 30. de me = in mea causa. ei—eidem] or. p. Cluent. § 115; cf. above § 59 l. 26, § 69 l. 10. *ita* belongs to *est solus inventus*, cf. § 129 l. 12.

P. 64, l. 1. Q. Metellus] § 62 l. 5, § 72 l. 1.

l. 2. vel maxime ex magnis] for the paronomasia cf. l. 4.

l. 3. contentionibus rei p.] § 72 l. 3.

l. 4. rettulerit] a rhetorical exaggeration for *sententiam tulerit* or *relationi collegae adsenserit*. The consul who re made the motion was Lentulus, see or. p. red. in sen. § where it is said of Metellus: *exstitit non modo salutis defen verum etiam adscriptor dignitatis meae.*

l. 5. P. Servilli] P. Servilius Vatia, surnamed Isa ricus, was the grandson of Q. Metellus Macedonicus on mother's side (hence the allusion *illius generis quod sibi cum commune esset*, cf. or. p. dom. § 143). He was consul in B.C. and in the next year as proconsul of Cilicia carried on the w against the pirates with ability and success, and from his co quest of the Isauri obtained his *agnomen*. He entered Rome triumph in B.C. 74. In B.C. 70 he was one of the *iudices* at t trial of Verres; in B.C. 66 he supported the Manilian rogati and in B.C. 55 was made censor.

divina] see cr. n. Cf. or. de prov. § 22 *permotus cum auc ritate vestra tum illius P. Servilii incredibili gravitate dicend*

l. 6. ille] sc. Servilius. ab inferis, 'from the under worl

l. 9. reflexisset] cf. or. p. Sull. § 46 *animum incitatum voco ipse et reflecto*, where Mr Reid observes that the met phor is from driving horses.

l. 10. et = *atque* explains *memoriam*.

l. 11. conlacrimavit, 'burst into tears.'

l. 12. vere Metellus, 'a true Metellus.' Liv. 12, 14 *ver Romanos*, Virg. Aen. IX 617 *vere Phrygiae neque enim Phryg* see § 116 l. 4.

l. 13. dicenti etiam tum = *μεταξὺ λέγοντι*, 'while he w yet speaking.'

l. 14. antiquitatis] cf. § 6 l. 16. homo eiusdem sa guinis] Madvig Gr. § 287.

l. 15. sustinere, 'to be proof against,' 'resist:' cf. § 6 l. 13, § 87 l. 25 and ep. ad fam. XI 13, 3 *cum sustinere e (rogantes) non posset.*

absens] a modern would write *absente*, so or. p. Arch. § Archias away from Rome is said to be *celebritate famae ia absentibus* (sc. residents at Rome) *notus*.

l. 13. beneficio suo] by his support of my cause, which I cannot but reckon as an act of kindness.

§ 131, l. 16. si est aliqui sensus est., 'if great men have some consciousness in the state of death.' Stress is to be laid on *praeclarorum* which depends on *sensus*, not on *morte;* cf. § 47 l. 14, Phil. IX § 13 *si qui est sensus in morte*, ep. ad fam. V 16, 4 *saepissime legi, nihil mali esse in morte, in qua si resideat sensus, immortalitas illa potius quam mors ducenda est.*

l. 18. uni fortissimo, 'brave above all others:' on the emphatic use of *unus* with superlatives see n. to or. p. Planc. § 95 l. 10 and cf. below § 132 l. 10, § 141 l. 4.

l. 19. gratissimum=rem gratissimam; de rep. I § 34 *gratum feceris si explicaris*, de amic. § 16 *pergratum mihi feceris*, Plaut. Most. I 3, 63. fratri] Q. Caecilius Metellus Celer was praetor in Cicero's consulship B.C. 63, and cooperated with him actively in opposing the schemes of Catiline. He was a warm and staunch supporter of the aristocratical party. His death in B.C. 59, the year after his consulate, was so unexpected that it was suspected he had been poisoned by his wife Clodia, sister of P. Clodius. socio—consiliorum] § 63 l. 25, § 8 l. 7.

CHAPTER LXIII

l. 23. atque, 'and indeed.'

l. 24. idem adventus mei—natalis, 'both the birth-day (i.e. the first day) of my arrival in Italy from exile and also that of my daughter': or. in Pis. § 51 *quid* (dicam) *eos dies, qui quasi deorum immortalium festi atque sollemnes apud omnis sunt adventu meo redituque celebrati*, ep. ad Attic. IV 20, 1 *diemque natalem reditus mei cura ut in tuis aedibus amaenissimis agam tecum et cum meis.*

l. 25. idem—filiae] sc. natalis, which, Mr Reid thinks, Cic. must have written. See ep. ad Att. IV 1, 4 *pridie nonas Sext. Dyrrhachio sum profectus ipso illo die, quo lex est lata de nobis. Brundisium veni nonis Sextilibus. Ibi mihi Tulliola mea fuit praesto natali suo ipso die, qui casu idem natalis erat et Brundisinae coloniae et tuae vicinae Salutis: quae res animadversa a multitudine summa Brundisinorum gratulatione celebrata est.*

l. 26. ex, 'after,' § 110 l. 8, § 118 l. 28.

l. 27. coloniae] the colony of Brundisium was founded (*deducta*) on the 5th of August B.C. 244. It was afterwards made a *municipium* by the *lex Iulia*.

l. 28. [aedis] Salutis] The temple of Salus was near the *porta Salutaris* on the Quirinal; it was dedicated by the Dictator Gaius Junius Bubulcus in B.C. 303. The words, which are wanting in the MS, are supplied from the letter to Atticus quoted in note to l. 25. *Ut scitis* is added by way of making a rather far-fetched allusion appear as something well known. [The passage quoted above from ep. ad Att. IV 1, 4 is decidedly in favour of inserting *Salutis* only, without *aedis*. J. S. R.]

l. 29. eadem] refers to the following *quae proxime anno receperat.*

l. 30. Laeni Flacci est.] cf. or. p. Planc. § 97 *Brundisium veni vel potius ad moenia accessi... In hortos me* M. Laenii Flacci *contuli: cui cum omnis metus, publicatio bonorum, exilium, mors proponeretur, haec perpeti, si acciderent, maluit quam custodiam mei capitis dimittere*, ep. ad fam. XIV 4, 2. me accepisset, 'had entertained me as a guest.' receperat, 'had afforded me refuge.'

l. 31. suo periculo] because of the penalty threatened by the bill of Clodius to any one who should receive Cic. into their house within 400 miles of Rome. See Intr. § 17.

l. 32. itinere toto, 'in the whole course of my journey,' Madvig Gr. § 273 c.

P. 65, l. 1. festos dies adventus mei] Cf. or. in Pis. § 51 *quid dicam adventus meos* (at the different municipia)? *quid effusiones hominum ex oppidis? quid concursus ex agris patrum familias cum coniugibus ac liberis? quid eos dies, qui quasi deorum immortalium festi atque sollemnes apud omnes sunt adventu meo redituque celebrati?* [cf. or. p. Arch. § 18 *dies festos ludorum*, or. in Verr. IV § 151 *diem festum ludorum.* J. S. R.]

l. 2. celebrabantur, 'were thronged.'

l. 4. florebat, 'was a great success,' § 128 l. 18. iter a porta] ep. ad Att. IV 5 *cum venissem ad portam Capenam, gradus templorum ab infima plebe completi erant, a qua plausu maximo cum esset mihi gratulatio significata, similis et frequentia et plausus me usque ad Capitolium celebravit.*

l. 5. domum] his father's house in the Carinae, in which his brother Quintus lived. His own house on the Palatine had been destroyed by Clodius. Introd. § 17.

domum reditus] Madv. Gr. § 288.

l. 6. tam gratam] § 122 l. 6. illud=*only* this, § 78 l. 5.

§ 132, l. 8. **habes igitur**, 'you know, then,' 'such, then, is the answer to your questions.' On this sense of *habeo* see my n. to or. p. Planc. § 55 l. 29 and add to the passages there quoted Tusc. III § 38 *habes formam Epicuri vitae beatae*, or. in Verr. V § 60 *habetis unius civitatis firmum auxilium amissum; cognoscite nunc novam praedandi rationem*, ep. ad Att. V 21, 10 *habes consilia nostra; nunc cognosce de Bruto.* **qui essent optimates**, 'who the optimates are;' on the tense see n. to de off. II § 1 l. 1.

l. 9. **non est natio**, 'it is no caste,' no fraction of the community, no state within a state, but the whole entire mass of the well-affected, whatever their class or employment. For this contemptuous use of *natio* see on § 96 l. 18. [In the best Latin it is very rarely used with the sense of our nation, except in the case of uncivilised or semi-civilised people. Very much the same may be said of *ἔθνος*; there is a similar contemptuous use of *φῦλον* in Demosthenes. J. S. R.]

l. 10. **illius**] P. Vatinius, the principal witness against Sestius. **uno maxime**] see n. to § 131 l. 18.

l. 12. **mitem hominem**] so in Cat. IV 10 Cic. speaks of Caesar as *homo mitissimus atque lenissimus*. See or. n.

l. 14. **accusavit**] § 12 l. 14, § 122 l. 31. **cum adfirmaret**, 'affirming,' see n. to § 122 l. 9, § 126 l. 30.

l. 15. **nihil profecit de universis**] Cic. discreetly avoids saying anything about the effect which Vatinius' representations had on Caesar in his own case.

l. 17. **indicem Vettium**] L. Vettius, homo perditissimae temeritatis, per illud tempus indicium detulerat ad senatum, sibi per quosdam praepotentis et nobilis consularis caedem mandatam, ut ingredientem forum Cn. Pompeium interficeret. Complectebatur autem hoc indicio plurimos senatores, in quis fuit et ipse M. Tullius et L. Piso et duo Curiones et alii quam plurimi nominati. Sed enim coniectus in carcerem Vettius ibidem supremum diem vitae habuit, ex eorum videlicet mandatu, quantum rumor ferebat, occisus, qui eum ad calumniosum illud indicium subornaverant. SCHOL. BOB. Cf. or. in Vat. c. 10 and 11, ep. ad Att. II 24, Sueton. Jul. c. 20, Mommsen R. H. IV p. 216.

[l. 20. **a me**, 'on my side,' or is there an ellipse *a me debitam* or something of the kind? J. S. R.]

l. 21. **congregavit**, 'associated.'

CHAPTER LXIV

§ 133, l. 22. **nullo meo merito**] § 39 l. 12.

l. 24. **ille**, 'it was he who.' **audiebatur**=admittebatur.

l. 25. **aliquid ficti**] n. on § 63 l. 19. Cf. § 67 *qui mentem optimi viri suis* (?) *consiliis fictisque terroribus a defensione mea salutis averterant.*

l. 26. **monebat**] § 41 l. 8.

l. 28. **inimico meo**] P. Clodius.

proscriptionis] § 46 l. 11.

l. 29. **adiuvabat**] sc. Vatinius. Sextus Clodius was probably descended from some freedman of the Claudian house. He was patronised by P. Clodius who had employed him as leader of his armed terrorists and in drawing up the bills which he proposed in his tribunate. On his proceedings after the death of P. Clodius see Mil. § 33. He was impeached and condemned, but afterwards restored, *Att.* XIV 18 A.

l. 30. **tabulam**] Mu. reads *tubam Vatinium*. P. has *toumbuam esse se*.

P. 66, l. 1. **ruere**t, 'stormed,' 'blustered.' See n. on or. p. Planc. § 91 l. 26. **verbum fe**ci, 'uttered a word.'

l. 2. **omnibus machinis ac tormentis**, 'with all kinds of heavy artillery.' Cf. § 39 l. 9, § 53 l. 13, § 55 l. 20.

l. 3. **sagittarie**, 'an archer,' i.e. not even a legionary.

l. 4. **convenire**] impersonal. **acta mea**] sc. consularia, 'the laws enacted on my proposal during my consulate.' Cf. or. Phil. I § 18 *ecquid est quod tam proprie dici possit actum eius, qui togatus in re publica cum potestate imperioque versatus sit, quam lex.*

l. 5. **qui—contemnat**, 'since he sets at defiance,' as a candidate for the Praetorship, which he obtained in B.C. 55. By *legem meam* is meant the lex Tullia de ambitu, in which, according to the scholiast, among other things 'praescribebatur ne candidatus ante biennium quam magistratum petiturus esset munus populo ederet, propter ambitum scilicet, ne hoc ipso popularis animus eblanditus designationi eius succumberet.' See Intr. to or. p. Planc. p. xxvii.

dilucide, 'plainly,' 'distinctly.' Nägelsb. lat. Stil. § 86, 1.

l. 6. **gladiatores**] § 126 l. 29.

biennio, quo quis petierit aut petiturus sit, 'within two years of an actual or contemplated canvass.' *Petierit* is the conjunctive of the *futurum exactum*. The law is referred to in the or. in Vatin. § 37 also: *cum mea lex dilucide vetet, biennio quo quis petat petiturusve sit, gladiatores dare, nisi ex testamento praestituta die*, where it will be seen that *petat* takes the place of *petierit*.

l. 7. in quo] for *in qua re*, § 2 l. 18.

§ 134. satis mirari non queo] cf. de fin. I § 10 etc. Cic. always writes *non queo* in first person present; on the other hand he prefers *nequeunt* to *non queunt*: *nequeamus* is found only once in the Speeches, more often in his other writings.

l. 9. ex iudicio] It appears from Cicero's letter ad Quint. fr. II 4 that he was threatened with prosecution at that time probably because of his *contemptio legis Tulliae*. See Intr. § 80. **iucunditate sua,** 'by his amiable character and pleasant manners:' cf. ep. ad fam. IX 15, 1 *quod tu ipse tam amandus es tamque dulcis tamque in omni genere iucundus, id est proprie tuum*, Quint. Cic. de petit. cons. 5, 16 *amicorum studia beneficiis et officiis et vetustate et facilitate ac iucunditate naturae parta esse oportet.*

emitti, 'to be let loose,' tamquam ex laqueis legum et iudiciorum (§ 88 l. 12). Cf. or. in Pis. § 95 *at contra bis Catilina absolutus: emissus etiam* (iudicum sc. corruptorum gratia) *ille auctor tum provinciae.* **l. 11. hominem]** see on l. 15.

l. 12. familiam gladiatoriam] § 9 l. 18, § 127 l. 18.

credo] ironical.

l. 13. speciosam] this refers to the external appearance and fine physique of the individual gladiators. **nobilem,** 'famous,' the standing epithet of great artists or performers: cf. or. p. Rosc. Am. *plurimarum palmarum vetus ac nobilis gladiator*, Curt. IX 29, 16 *pugil nobilis.*

l. 14. studia, 'tastes,' 'inclinations,' i.e. which sort of combats suited the people best.

l. 15. homo] § 71 l. 8, § 89 l. 16.

l. 16. tenere—induceret, 'could not refrain from exhibiting.' *Inducere* = Gr. προάγειν was the technical term for 'representing in the circus or on the stage:' Cic. de opt. gen. or. § 17 *a me gladiatorum par nobilissimum inducitur*, ep. ad Att. IV 11, 1 *quaesivi, gladiatoribusne; respondit, antequam inducerentur*, Pers. Sat. 6, 48 *dis igitur genioque ducis centum paria ob res egregie gestas induco*, Suet. Dom. c. 4 *ut populo potestatem faceret bina paria e suo ludo postulandi, eaque novissima aulico apparatu induceret.*

l. 17. pulcherrimus] a hit at the ugliness of Vatinius, especially his wen (*struma*); see note on § 135 l. 16.

si ob eam causam peccaret, 'if that were his reason for doing wrong (i.e. because he had a fine set of gladiators to boast of), in his eagerness to gratify the people in return for his recent preferment (to the aedileship), still that would be no excuse; but when he did not take even the best that the market offered, but some which he bought from the *ergastula*, whom he dignified with the names of gladiators, making some 'Samnites,' according to chance and not by rule, others 'provocatores,' does he not shudder to think what must be the outcome of all this independence of spirit and defiance of the established laws?'

l. 19. beneficio] ironically, § 54 l. 10 n., § 74 l. 30.

l. 20. venalibus, 'those who were offered for sale' by *mangones* upon the *catasta* in the slave-market (Tibull. II 3, 60, Stat. Silv. II 1, 72, Pers. Sat. VI 77), which would be the least valuable portion of their stock (*mancipia viliora*). The more precious were disposed of in private shops. Ramsay *R. A.* p. 96.

l. 21. ergastulis] the *ergastulum*, 'workhouse,' was a sort of dungeon or place of correction attached to most country villas and farms for the purpose of confining refractory slaves, who were kept in fetters (*compediti*): the rest, who were not chained, were provided with separate accommodation (*cellae, contubernia*) in other parts of the establishment. These private prisons were entirely suppressed by Adrian and succeeding emperors.

nominibus gladiatoriis] Gladiators were divided into various classes according to their weapons and mode of fighting, and were in many cases named from the nation whose characteristic arms they bore, as *Samnites, Thraces, Galli, secutores, myrmillones, retiarii, laquearii, essedarii* (§ 126 l. 2), &c. The *Samnites* were no doubt the armour of the old Samnites, as described by Livy IX 40, 17 *Campani ab superbia et otio Samnitium gladiatores, quod spectaculum inter epulas erat, eo ornatu armarunt Samnitiumque nomine compellarunt*, i.e. after their defeat by the dictator Papirius Cursor in B.C. 310. Cf. Cic. Tusc. II § 41, de orat. II § 325, Hor. ep. II 2, 98. We know nothing of the armour or mode of fighting, by which the *provocatores* were characterised. They are often mentioned in inscriptions. Farlanetto (*lapide*

Patavine, n. 213 p. 217, identifies them with the *secutores*, and infers from a passage of Artemidorus (Oneirocr. II 33) that they were so called because they did not maintain a stand-up fight but a desultory combat. The gladiators fighting with each other never belonged to the same class. Thus the antagonists of the *secutores* were the *retiarii*. Ramsay *R. A.* pp. 358—360, Guhl and Koner, p. 533 Engl. tr.

§ 135, l. 25. defensiones, 'excuses.' do, 'I exhibit.'

bestiarios] men who fought in arms with wild beasts, but were also gladiators.

l. 26. lex] sc. *Tullia*, § 133 l. 5. festive] sc. *dictum*, 'a pretty conceit,' as though *bestiarii* were not also *gladiatores*.

l. 27. aliquid etiam acutius, 'something even more clever.' dicet] i.e. I shall expect him to say.

l. 28. totam aedilitatem cet., 'that all the costly preparation for his expected aedileship be transferred to this exhibition.' *Aedilitas*=munus aedilicium; cf. de off. II § 57 *ut splendor aedilitatum ab optimis viris postuletur*.

l. 29. praeclara] ironical as often, or. in Pison. § 17, or. in Cat. I § 26, Tusc. I § 49. unus leo] a gladiator in the band of Vatinius was called Leo according to the Scholiast, who remarks 'hoc etiam dictum de Leone Tullius Tiro, libertus eiusdem, inter iocos Ciceronis adnumerat.' Cf. Lucian Demon. c. 49 *τοὺς νῦν ἀθλητὰς οἱ παρομαρτοῦντες λέοντας καλοῦσιν*. [I fancy the title Leo occurs on one of the ancient mosaics (mostly from Hadrian's villa at Tibur) representing the armour and dresses. J. S. R.]

l. 30. hac defensione] i.e. let him try to evade the law by saying that his exhibition is one of *bestiarii*, not of *gladiatores*.

l. 31. tribunos plebis appellare] in virtue of their right *auxilii ferendi*, but that had no legal validity in a *postulatio ex lege* before the Praetor. Still there had been an instance of such an appeal at an earlier period, when Gaius Antonius Hybrida was accused by Julius Caesar in B.C. 76 for his oppression of Greece, but he was expelled the senate six years afterwards by the censors for this offence, Mommsen *R. H.* IV p. 95, cf. or. in Vatin. § 33.

l. 32. iudicium disturbare] as Vatinius had done, when *postulatus lege Licinia et Iunia* in B.C. 58, because of his *acta tribunicia* of B.C. 59, he had to appear before the praetor Gaius Memmius. Cf. or. in Vat. § 33 *quaero etiam illud ex te, postulatusne sis lege Licinia et Iunia?...appellarisne tribunos plebi, ne causam diceres, quod in hac rep. non modo factum*

antea numquam est sed in omni memoria est omnino inauditum, and § 34 *quaero ex te, Vatini, num quis in hac civitate post urbem conditam tribunos plebis appellarit, ne causam diceret? num quis reus in tribunal sui quaesitoris escenderit eumque vi deturbarit? subsellia dissiparit? urnas deiecerit? eas denique omnes res in iudicio disturbando commiserit, quarum rerum causa iudicia sunt constituta?*

P. 67, l. 1. meam—hominis inimici] § 128 l. 30.

l. 2. sic statuit, omnino consularem legem nullam putare, 'he makes this a principle—not to acknowledge any consular law at all as a law;' *consularem*)(*tribuniciam*. The noun object *legem* does duty also as predicate; cf. or. de prov. cons. § 37 *legem, quam non putat, eam quoque servat*, de legg. II. § 14 *igitur tu Titias et Apuleias leges nullas putas?* or. in Pis. § 37 *lege ea, quam nemo legem praeter te putavit*.

l. 3. Caecilium Didiam] By this law, which was passed by the consuls Q. Caecilius Metellus and T. Didius in B.C. 98, it was enacted that every bill should be exhibited for the inspection of the people for three market days before it was submitted to the Comitia. This space of time, which could not be less than seventeen days, was called *trinundinum* or *trinum nundinum*. Ramsay *R. A.* p. 113, ep. ad Att. II 9, 1.

Liciniam Iuniam] Licinia et Iunia auctoribus Licinio Murena et Iunio Silano perlata illud cavebat, ne clam (without witnesses) aerario legem inferri liceret, quoniam leges in aerario (the temple of Saturn on the Capitol, where the archives of the State also were kept) condebantur. SCHOL. BOB.

l. 4. sua lege] the *lex*, proposed by Vatinius in B.C. 59, which gave Gaius Caesar the province of *Gallia Cisalpina* and *Illyricum* for five years with three legions. The Senate added to his commission *Gallia comata* and a fourth legion (Sueton. Iul. c. 22), fearing that if they did not give this to Caesar, the people would: Plut. Caes. c. 14, Vell. Pat. II 44, Dion Cass. 38 c. 8, Intr. § 3.

l. 6. C. Caesaris legem] The *lex Iulia de repetundis* was passed by Julius Caesar in his first consulship, B.C. 59. Cf. or. in Vatin. § 29 *quaero ex te, sine ex pauperrimo dives factus illo ipso anno, quo lex lata est de pecuniis repetundis acerrima; ut omnes intellegere possent a te non modo nostra acta sed etiam amicissimi tui legem esse contemptam*.

l. 7. et=Gr. εἶτα, see on § 80 l. 31.

l. 9. socero] i.e. L. Calpurnius Piso, proconsul of

Macedonia, whose daughter Calpurnia was Caesar's last wife. Plutarch Caesar, c. 14, Intr. § 8.

adsecula, 'servant;' because Vatinius had made money by unlawful means during his tribunate, see or. in Vat. § 29. The *lex Iulia* concerned not only provincial magistrates, but all public officers.

CHAPTER LXV

l. 11. **aliquando**, 'at length and high time too,' § 13 l. 22, § 67 l. 5, § 79 l. 31.

l. 13. **scalpellum**, 'a lancet.'

l. 14. **ista**] sc. id quod vos, iudices, accusator cohortatus est de P. Sestio. Tusc. I § 20 *quae harmonia dicitur.*

l. 15. **exsecant**] Cf. Dem. c. Aristog. I § 95 p. 798 *δεῖ δὴ πάντας, ὥσπερ οἱ ἰατροί, ὅταν καρκίνον ἢ φαγέδαιναν ἢ τῶν ἄλλων ἀνιάτων τι κακῶν ἴδωσιν, ἀπέκαυσαν ἢ ὅλως ἀπέκοψαν* (*exsecant*), *οὕτω τοῦτο τὸ θηρίον ὑμᾶς ἐξορίσαι, ῥῖψαι ἐκ τῆς πόλεως, ἀνελεῖν.* **pestem**] 'sore,' § 55 l. 19.

strumam, 'wen,' 'scrofulous swelling,' an allusion in the bad taste, by which Cicero's jokes were sometimes characterised, to the personal deformity of Vatinius. Cf. above § 134 l. 17, or. in Vat. § 39, ep. ad Att. II. 9 *isti licet etiam Vatini strumam sacerdotii ἀβάφῳ vestiant*, i.e. 'let them even invest Vatinius' wen with the double-dyed toga of the augur,' Vatinius having aspired to fill the place of Metellus in the augural body. Plutarch vit. Cic. c. 9, and again c. 26, records two personal jokes on Vatinius. [Jests on personal appearance were said by ancient rhetoricians to be especially permissible. I think Cic. says so himself in de orat. III. *s. a. n.*]

§ 136, l. 17. **extremum aliquid**, 'some end.' Cf. de sen. § 5 *necesse fuit esse aliquid extremum*, § 69 *mihi ne diuturnum quidem quicquam videtur, in quo est aliquid extremum.*

l. 19. **illud**, 'that discussion which I began.'

l. 20. **eorum**] partitive gen. § 138 l. 12.

l. 21. **nobiles**] by birth.

l. 24. **homines novi**] the first men of their family to obtain a curule magistracy.

§ 137, l. 25. **via laudis**, 'road to honour,' Kenn. Gr. § 174 note 2, Zumpt Gr. § 428, Madv. Gr. § 283.

l. 26. **bonis viris**, 'patriots,' § 1 l. 6, § 25 l. 8.

l. 27. **sapientibus**] attributive to *bonis viris.* **bene natura constitutis**, 'of a good natural disposition,' Fr. *d'un bon naturel.* Kimming thinks *a bonis—diligi* spurious.

l. 28. **discriptionem**, 'the determination of the parts and divisions of a thing,' 'organisation,' see § 66 l. 26, n. on de off. I § 27, § 96, de rep. II § 39 *relicuum populum distribuit in quinque classis...quae discriptio si esset ignota vobis, explicaretur a me.*

l. 30. **ita—ut**, 'with this restriction...that,' § 8 l. 30, § 13 l. 27, § 129 l. 12. **consilium senatus**] § 97 l. 1; this is an instance of the descriptive or explicative genitive, § 87 l. 12, § 90 l. 30, § 112 l. 10.

l. 31. **sempiternum**] observe the position of the significant word, § 124 l. 31.

l. 32. **ab universo populo**] The senators owed their places to popular election indirectly, because qualification for admission to the senate was by election to some magistratus (including the quaestorship) by the people, and formal admission thereto by the Censors. 'Cicero,' says Long, 'has well marked the character of the Roman Senate. It was not a body consisting of nobles who claimed a place by hereditary title, but by merit, at least such merit as is implied by the fact of popular election. It was a body which always subsisted (*sempiternum*), though it was always changing, and every Roman might get a place in it. Looking at it historically, we must admit that it was a wise body and that Rome owed to it her long period of existence. If the senate had been elected directly by the people, and for a limited time, the Roman state would neither have grown nor lived.' Cf. or. in Verr. IV 11, 25 *qui honos non homini solum debetur, sed primum populo Romano, cuius beneficio nos in hunc ordinem venimus; deinde ordinis auctorituti, quae nisi gravis erit apud socios et exteras nationes, ubi erit imperii nomen et dignitas?* de legg. III § 27 *ex eis autem, qui magistratum ceperunt, quod senatus efficitur, populare sane neminem in summum locum nisi per populum venire, sublata cooptatione censoria.*

P. 68, l. 1. [**omnium civium industriae pateret.** It is noteworthy that Cicero's words imply a belief that the Senate was from the earliest days of the Republic open to plebeians, a position often disputed by scholars. *s. a. n.*]

l. 4. **auctoritate uti**, 'should be guided by their will.' Halm suggests *niti.*

l. 5. **voluerunt** is rejected by Eb. Hein. and Kimming.

l. 6. **proximorum ordinum splendore confirmari**] first the *equites* to whom the term *splendor* was constantly applied

just as *amplitudo* was to the senate (or. p. Planc. § 12 l. 22), and next the *tribuni aerarii*, who according to the *lex Aurelia* of B.C. 70 formed the third decuria of the *iudices*. Most modern editors accept Bake's alteration of the MS reading *splendore confirmari* into *splendorem confirmare*. But Long refuses to accept the emendation, maintaining that Cicero's meaning is that the senate is supported by the *splendidi equites*, and that, after giving the senate so high a position, it would not have been consistent with good taste, to say nothing of truth, to speak of the *equites* as depending for the preservation of their *splendor* on the senate, instead of making them, as a 'splendidus ordo,' the support of that great body in which was centered the administration and the dignity of the Roman state.

CHAPTER LXVI

§ 138, l. 10. **cuiuscumque sunt ordinis]** § 97.

l. 11. **suis cervicibus—sustinent]** metaphor from bearing the yoke. Cf. Verr. v § 108 *cum istius avaritiae poenam collo et cervicibus suis sustinerent*, II § 135 *qui tantis erunt cervicibus recuperatores qui audeant?* **munia]** i.q. munera, 'functions,' a rare word in Cic., but found or. p. Mur. § 73. It is common in Tacitus.

l. 13. **auctores,** 'leaders,' 'counsellors.'

l. 14. **fateor]** § 102 l. 16.

l. 15. **invidos,** 'ill-wishers,' § 121 l. 28, § 145 l. 15. **propemi]** § 48 l. 24.

l. 16. **iniurias]** by *repulsae*, judicial verdicts, banishments, &c. **experiundos]** passive.

l. 17. **cum virtute,** 'with worth,' i.e. with men of worth, abstract for concrete, Nägelsb. lat. Stil. § 14. A reflexion upon the indolent and pleasure-loving members of the Roman aristocracy.

l. 18. **cum dignitate,** 'with men of sterling character.'

l. 19. **patriae natos]** Roby Gr. II § 1134, Madv. Gr. § 241 : cf. de fin. II § 45 *non sibi se soli natum meminerit, sed patriae sed suis.*

l. 22. **ducuntur,** 'are led captive,' 'allured.' **cupiditatium,** 'the genitive plural of substantives in *-tat* is occasionally formed in *-tium*, especially from *civitas, aestas, calamitas*, but from others than *civitas* rarely before the Augustan age.' Roby Gr. I § 445.

l. 23. **missos faciant,** 'let them give up state offices, and not meddle with politics, but be content with enjoying the ease which they owe to the labour of brave men.'

§ 139, l. 25. **famam bonorum]** i.e. apud bonos. That is, *laudari a laudato viro*. Cf. § 143 l. 1. **otio suo]** Abl. absol.

l. 28. **eis]** dative after gerundive: Roby Gr. II § 1146. See n. on § 41 l. 3. **adeundae]** § 23 l. 7, § 62 l. 9.

l. 31. **potentibus]** an allusion to Pompeius, Caesar and Crassus.

audivimus, 'we have heard from eye-witnesses.'

l. 32. **accepimus]** by oral tradition. [I doubt whether a strict line can be drawn here between *audivimus* and *accepimus*, since *audire* (like ἀκούειν) is used of events however distant in the past, and only points to the fact of instruction being mainly oral. Cf. ἀκρόασις. J. S. R.]

P. 69, l. 2. **aliquando]** § 83 l. 12.

l. 3. **caecarunt]** in order to obtain some state-office.

l. 6. **nostri homines]** so *homines Graecos* § 141 l. 30, § 142 l. 16.

l. 7. **at vero,** 'but really and truly,' § 140 l. 7.

l. 10. **auctores huius dignitatis atque imperii,** 'the men to whom we owe our present honourable repose from trouble and our empire.' [*dignitatis* remains strange, even after Halm's defence, who interprets it to mean *huius otiosae dignitatis qua nunc fruimur*. Possibly *atque* is spurious, and Cic. meant 'supporters of the honour of the empire.' The position of *dignitatis* between *huius* and *imperii* would naturally lead to the error: cf. or. p. Arch. § 6 *eius Pio filio*. J. S. R.]

CHAPTER LXVII

§ 140, l. 12. **ac** introduces a statement emphatically, 'and assuredly.' **aliquorum praeterea** = aliquorum aliorum.

l. 14. **quem quidem ego possum dicere,** 'at least I can quote no other, only him.' Madvig needlessly corrects *possim*, thinking that *quem quidem* is limitative and therefore requires the conjunctive. [I must say the *nexus* of the words *unus quem quidem ego etc.* makes strongly, to my mind, in favour of *possim*. J. S. R.]

l. 15. **L. Opimius]** one of the high aristocratical party, who as consul in B.C. 121 took a leading part in the murder of C. Gracchus and his followers. **indignissime]** he died in exile.

l. 16. **monumentum**] Opimius built in the Forum a new and splendid temple of Concord, as a memorial of the destruction of Gaius Gracchus and his party, with a Basilica belonging to it: see Plutarch C. Gracch. c. 17, Appian b. c. I c. 26, Varro de lingua lat. v § 156: *senaculum supra Graecostasin, ubi aedis Concordiae et basilica Opimia*, Mommsen *R. H.* Vol. II p. 186. The epithet *celeberrimum* 'most frequented' shews that the latter is meant rather than the temple.

l. 17. **litore Dyrrachino**] at Dyrrachium (Durazzo) in Epirus.

l. 18. **tamen flagrantem**=tamen quamquam flagrabat, just as ὅμως in Greek is prefixed to the participle, which may be considered epexegetic of the adverb. Cf. or. Verr. v § 142 *cum illi nihilominus iacenti latera tunderent*, i.e. quamquam iacebat, nihilo minus, Liv. v 42, 7 *nihil tamen tot onerati malis flexerunt animos*, XXI 55, 10 *tamen in tot circumstantibus malis mansit aliquamdiu immota acies*. **invidia**, 'unpopularity' owing to the affair of Gracchus. The *equites* paid off in this way an old grudge. Cic. or. p. Planc. § 69 l. 24, where see my note.

l. 19. **ipse populus Romanus—liberavit**] Liv. Epit. LXI *L. Opimius, accusatus apud populum a Q. Decio tribuno pl., quod indemnatos cives in carcerem coniecisset, absolutus est.* This charge of *maiestas* was brought in B.C. 120. See n. on or. p. Planc. § 69. **ipse**, 'the real, genuine Roman people' as opposed to the minority of his democratical enemies. *Semper* is a rhetorical exaggeration.

l. 20. **periculo**] see n. to § 2 l. 6.

alia...iniqui iudicii procella pervertit] He was condemned under the bill of the tribune C. Mamilius Limetanus (*lex Mamilia*) for receiving bribes from Jugurtha in connection with the question of the Numidian succession, and sent into exile B.C. 110. Sallust Jug. c. 16, Cic. Brut. § 128 *invidiosa lege L. Opimium, Gracchi interfectorem, a populo absolutum, cum is contra populi studium stetisset, Gracchani iudices* (i.e. a jury composed of Roman *equites*) *sustulerunt.* Mommsen *Rom. Hist.* Vol. III p. 158 f.

l. 22. **perculsi**, 'though upset,' 'overthrown,' i.e. cum aliquando gratia populi excidissent. Cato ap. A. Gell. II 22, 29 *ventus cercius plaustrum oneratum percellit*, Afranius in Epistula ap. Fest. p. 273 M *vento perculsam ratem* (Ribbeck *com. rel.* p. 181). In a metaphorical sense it is often said of those who are 'ruined,' especially by an adverse judgment, de orat. I § 40 *Carbonem, quem tu adulescentulus perculisti*, II § 285 *Scipionis qui Gaium Gracchum percuit*, Tusc. III § 72 *eorum plaga perculsi* i.e. graviter afflicti. See Ellendt on de orat. II § 285 p. 312. Examples of distinguished Romans, recalled from banishment, are given by Cic. in the or. p. dom. § 86 f., Kaeso Quintius, M. Furius Camillus, M. Servilius Ahala.

ac] explanatory.

l. 23. **recreati**, 'restored to their former position,' de imp. Pomp. § 23 *adflictum erexit perditumque recreavit.*

l. 24. **at vero**] § 139 l. 7.

l. 25. **senatus consilium**] § 42 l. 21, § 137 l. 30.

l. 27. **iucundi**] § 134 l. 9.

l. 28. **rei publicae**] dative; cf. or. in Cat. IV § 10 *ipsum latorem Semproniae legis...poenas reip. dependisse.*

praesenti morte] as Sp. Maelius, M. Manlius Capitolinus, the two Gracchi, L. Appuleius Saturninus, P. Sulpicius, all of whom forfeited their lives.

l. 29. **turpi exsilio**] as M. Aemilius Lepidus, father of the triumvir, praetor in Sicily B.C. 81, elected cos with Q. Lutatius Catulus against Sulla in B.C. 78, when in his ambition to become a leader of the popular party, he attempted to overthrow the Sullan constitution, but was defeated by his colleague Q. Lutatius Catulus and Pompeius, when he marched from his province Gallia Cisalpina against Rome. He died in Sardinia in B.C. 77. See Mommsen *R. H.* IV p. 3—p. 27.

§ 141, l. 30. **homines Graecos**] i.e. Graecos *et gente et ingenio*, 'thorough Greeks,' § 139 l. 6 *nostri homines.*

l. 31. **gravitate**, 'strength of character,' 'steadiness,')(*levitate. Hominum gravitate*=hominibus gravibus, cf. § 57 l. 22, § 88 l. 32.

l. 32. **cum**, 'although.' **ita fecerant**] i.e. *defenderant remp.*

P. 70, l. 1. **eicerentur**=eici solerent.

l. 2. **conservatorem**, *σωτῆρα*, 'saviour.' **non—nec—neque**] cf. § 90 l. 7.

l. 3. **Miltiadi...Aristidi**] on this form of the genitive of Greek nouns with stems in *-e* and *-i* which fluctuate between different declensions, see Madv. de fin. I § 14, Gr. § 42, 2, Roby Gr. I § 484. [The evidence of the Ciceronian MSS fairly considered is overwhelmingly in favour of this form of the genitive and proves, I think, that Cic. used no other. J. S. R.]

calamitas] cf. § 7 l. 24, § 88 l. 17.

l. 4. **fuga**, 'banishment.' **unus iustissimus**] § 131 l. 18.

l. 7. **propositis**, 'set before their view,' § 48 l. 24.

l. 8. **suam rem publicam illam**, 'their state such as it was,' i.e. so fickle and ungrateful, in opposition to l. 12 *ad eam rem p. tuendam adgressi quae tanta dignitate est ut etc.* Yet Cic. says himself de rep. I 5: *nec vero levitatis Atheniensium crudelitatisque in amplissimos civis exempla deficiunt: quae nata et frequentata apud illos etiam in gravissimam civitatem nostram dicuntur redundasse. Nam vel exilium Camilli vel offensio commemoratur Ahalae vel invidia Nasicae vel expulsio Laenatis vel Opimii damnatio vel fuga Metelli vel acerbissima C. Marii clades vel eorum multorum pestes, quae paulo post accutae sunt.*

l. 10. **unde**, 'from which,' Madvig Gr. § 317 *obs.* 2.

l. 11. **insistentes**, 'taking our stand on.'

l. 12. **humana**, 'the changes and chances of life.' **videri debeant**, 'cannot help seeming,' 'must seem.' **deinde**] the usual order is *primum—deinde—tum.*

l. 14. **ut eam defendentem occidere optabilius sit quam oppugnantem rerum potiri**, 'that to die in defence of it is a more desirable thing than in fighting against it to usurp the sovereign power.' Long after Klotz defends the genuineness of the MS reading *non aliud* for which various emendations have been suggested *maius nobilius, satius, melius, laudabilius, honestius, nomen maius, amplius, praestabilius.* Cf. or. I 84 *acerbissimum eius* (M. Antoni oratoris) *supremum diem malim quam L. Cinnae dominatum, a quo ille est crudelissime interfectus.*

l. 15. **rerum potiri**] Lucret. II 12.

CHAPTER LXVIII

§ 142, l. 21. **horum—anteponant**] on the coordination of contrasted clauses see n. on or. p. Planc. § 26 l. 5.

calamitatem] § 71 l. 24 note. **dominationi**, 'despotism.'

l. 22. **anteponant**, 'think more fortunate.'

l. 23. **pluris fuit**] Madv. Gr. § 294, Roby Gr. II § 1186, pref. p. lvii ff., who refers this gen. of value to the locative case. Kenn. Gr. § 169.

l. 24. **de imperio**] § 59 l. 24.

l. 25. **sui cives**] Madv. Gr. § 490 b.

l. 26. **discesserunt**] He really spared the Carthaginians the disgrace of delivering him up by a speedy and prudent flight to the East, leaving his ancestral city merely the lesser disgrace of banishing its greatest citizen for ever from his native land, of confiscating his property and of razing his house. Liv. XXXIII 47 ff., Corn. Nep. Hann. c. 7, Mommsen *Hist. R.* II p. 214. **hostem—celebratum**] Plin. H. N. XXXIV c. 6 § 15 *adeo discrimen omne sublatum, ut Hannibalis etiam statuae tribus locis visantur in ea urbe, cuius intra muros solus hostium emisit hastam.* **litteris etc.**] 'in our historical literature.'

§ 143, l. 28. **Brutos, Camillos, cet.**] generic plural, cf. Mayor on Juv. Sat. I 109, Hor. Sat. I 7, 8.

l. 29. **Lentulos, Aemilios**] These are named, because it was P. Lentulus Spinther, consul B. C. 57, that proposed Cicero's recal: and M. Aemilius Scaurus was probably president of the court, before which Sestius was tried.

l. 30. **stabiliverunt**] § 128 l. 26.

l. 31. **in deorum coetu**] Cic. Somn. Scip. c. 8: *quo sis, Africane, alacrior ad tutandam rem publicam, sic habeto, omnibus qui patriam conservaverint, adiuverint, auxerint, certum esse in caelo definitum locum ubi beati aevo sempiterno fruantur.*

l. 32. **repono**, 'I reckon,' 'count:' cf. or. in Verr. III § 210 *ut in clarissimorum hominum numero reponantur*, de nat. deor. II § 54 *sidera in deorum numero reponere.* **consulamus bonis**] Zumpt Gr. § 414.

P. 71, l. 1. **posteritatis gloriae serviamus**, 'let us devote ourselves to securing a good name amongst future generations.'

l. 2. **id**, 'that *only*.' **rectissimum**, 'really good and moral.'

speremus—feramus] Cf. or. Phil. XIII § 15 *speramus optima, pati vel difficillima malumus quam servire.*

l. 6. **animi motus**, gen. = *τῆς ἐνεργείας τῆς ψυχῆς*, 'mental activity.' So Halm. Others take *motus* to be the accusative plural, comparing or. p. Arch. § 17 *animorum incredibilis motus celeritatemque ingeniorum*, de orat. I § 118 *animi atque ingenii celeres quidam motus.*

l. 7. **neque** for *neve*, a not uncommon use, Roby § 1602, Dräger Hist. S. I p. 287. **opinionem**, 'belief,' i.e. in the immortality of virtue. **in**, 'in the case of,' 'in the person of,' § 7 l. 24, § 118 l. 29. **sanctissimo**] because he was regarded as the ideal representative of manly perfection.

l. 8. **consecratam**, i.e. **diis adscriptam ideoque sacram habitam**, the same as *sanctitam* in reference to profane things.

Cf. Tusc. III § 1 *cur corporis curandi causa quaesita sit ars eiusque utilitas deorum immortalium inventioni consecrata.*

cuius—eius] observe the pleonasm. vitam et virtutem, 'heroic life.'

l. 9. excepisse, 'to have followed after.'

[l. 11. consiliis aut laboribus: *et* or (as Orelli proposed) *ac* seems necessary. J. S. R.]

CHAPTER LXIX

§§ 144—147. Peroratio

Cic. ends with a strong appeal to the sympathy of the iudices *to acquit those who have sacrificed so much for the state, and to whose zeal on his behalf he owes his own restoration. It is entirely because of the support they gave him that they are placed in their present unenviable position, and, if they should be convicted, he would rather share their fate and go into exile, than remain at Rome without them. Their acquittal will serve to confirm and strengthen the hands of the friends of law and order, while it will curb and restrain the disaffected.*

§ 144, l. 15. horum, 'my clients.' vestrae] sc. iudicum.

l. 17. defensorem cet.] observe that *defensorem* answers to *salutis, propugnatorem* to *auctoritatis, actorem* to *causae.*

l. 18. reum] predicate adjective to *Sestium.*

l. 19. praetextatum] still wearing the *toga praetexta* of his childhood, and not having assumed the *toga virilis*, see § 6 l. 16.

l. 20. vindicem] qui vos in libertatem vindicavit.

l. 22. latrocinii] § 1 l. 12.

l. 23. caedis, 'bloodshed,' § 95 l. 9. tectorum] § 85 l. 25.

l. 24. praesidium curiae] Hor. Carm. II 1, 14 *moestis praesidium reis et consulenti, Pollio, curiae.*

l. 25. deum is to be taken with *fortunae* = 'creator.' [I cannot believe that Cic. would call such a man as Lentulus *deum* or that he would use the phrase 'God and parent of our fortune.' Creator is a modern rather than ancient equivalent for 'God.' Cic. seems to me to have written *patrem eundem*

parentem. The letters *eun* were so like the final letters *em* of *patrem* that they dropped out, *dem* was turned into *deum* and *ac* was naturally inserted. J. S. R.]

l. 26. nominis] § 14 l. 5.

l. 27. in hoc squalore et sordibus] § 32 l. 14, or. in Verr. V § 128 *aspicite, iudices, squalorem sordesque sociorum.*

l. 28. superior annus, 'the past year,' i.e. B.C. 57, when his father was consul, § 15 l. 20. idem] § 9 l. 22. virilem] the *toga virilis* was generally assumed on the completion of the 16th year, occasionally later, if the father so wished.

praetextam] by his election into the College of Augurs: *populi iudicio*, because the right of filling up vacancies in the College of Augurs, who were originally chosen by *cooptatio*, was transferred by the *lex Domitia* of B.C. 107 to seventeen out of the thirty-five tribes. The *toga praetexta* was worn by freeborn children of both sexes up to their 17th year, by the chief magistrates at Rome and in the colonies with the exception of the tribunes, by the presidents of games, by senators, priests and augurs on festivals (or. Phil. II § 110).

l. 30. rogationis iniustissimae] Lentulus had as consul obtained a decree of the senate that the consul, to whom the province of Cilicia would fall at the close of his year of office, should be charged with the office of restoring Ptolemaeus Auletes, the exiled king of Egypt. The honour would have fallen to Lentulus, as proconsul of Cilicia, had not an oracle been found in the Sibylline Books which forbade the restoration of the king of Egypt by armed force. The matter gave rise to vehement debate in the Senate in B.C. 56, during which time the tribune C. Cato, the personal enemy of Lentulus, *legem promulgavit de imperio Lentulo abrogando* (ep. ad Quint. fr. II 3, 1), whereupon his son appeared publicly in mourning (*vestitum mutavit*). The *rogatio* did not come to the vote and the affair of the king was forgotten, until the governor of Syria, Aulus Gabinius, was employed to restore him. Mommsen *Hist. Rom.* IV p. 160.

acerbitatem, 'grief,' 'chagrin,' or. p. Planc. § 101 l. 20.

P. 72, § 145, l. 4. quod tantum—scelus] cf. or. p. Mil. § 103 *quodnam ego concepi tantum scelus aut quod in me tantum facinus admisi, iudices, cum illa indicia communis exitii indagavi patefeci protuli exstinxi?*

l. 5. illo die] Dec. the 3rd, B.C. 63: see the third Catilinarian speech.

l. 7. **parui vobis]** i.e. the senate; Cic. addresses those of the *iudices*, who were senators. For the reference see or. Cat. III § 14. Cf. § 25 l. 32.

l. 9. **vexatae,** 'damaged, impaired,' § 54 l. 14. **dissipati liberi]** because his son Marcus was separated from his sister Tulliola. **raptata coniunx]** or. p. dom. c. 23 *quid enim vos uxor mea misera violarat? quam vexavistis, raptavistis, omni crudelitate laceravistis.*

l. 10. **frater incredibili pietate]** on the descriptive ablative subjoined to an indefinite appellative noun see my n. to or. p. Planc. § 52 l. 11, Madv. Gr. § 287 *obs.* 2.

l. 13. **carui]** § 63 l. 24. **ut levissime dicam,** 'to use the mildest expression.'

l. 14. **dilexeram]** see or. n.

l. 15. **invidorum,** 'ill-wishers,' § 121 l. 28.

§ 146, l. 16. **haec omnia]** sc. quae pertuli.

l. 18. **importare]** a stronger expression than *inferre*, see Nägelsb. § 107 1. [It very generally goes with words denoting misfortune, as in Lucretius *cladem importare pericli.* J. S. R.]

l. 19. **calamitatem]** see n. on § 7 l. 23.

l. 20. **his]** Sestius and Milo. *possim*, not *possum*, because it is conditional, the protasis being implied in *his pulsis.*

l. 23. **pietate]** § 27 l. 10, § 142 l. 18. **amisso patre suo propter me,** 'when I have been the cause of his having lost his father.'

l. 24. **incolumem]** § 18 l. 5. **nec—ingemesceet,** 'without lamenting.'

l. 25. **pestem suam,** 'the ruin of himself.'

l. 26. **ego vero,** 'I for my part.' For the meaning of *complecti* cf. or. p. Planc. § 82 with my note.

l. 28. **meo nomine,** 'on my account.' **umquam]** emphatic by its position.

P. 73, § 147, l. 1. **receperunt]** see on § 131 l. 4. **ab his viris]** Sestius and Milo.

l. 2. **sanctius,** 'more venerable.'

l. 4. **improborum,** 'the disaffected.' § 43 l. 2, § 49 l. 6.

l. 5. **his civibus uti optimis,** 'to have the services of these loyal citizens,' i.e. not to lose them by their condemnation. Cp. or. in Cat. II § 18 *et locupletioribus his et melioribus civibus uteremur*, or. in Ver. II § 6 *multo locupletioribus civibus utimur.*

l. 6. **renovare rem publicam,** 'to restore,' 'revive the state,' put it on a new footing, so that in future patriotic citizens may be better protected against the attacks of designing men.

l. 7. **si voluistis,** 'since it has been your pleasure.'

END OF EXPLANATORY NOTES

APPENDIX ON THE TEXT

APPENDIX ON THE TEXT

A *General Remarks*

THE Vulgate text of this Speech is that which having been gradually formed by the scholars of the 15th, 16th, and 17th centuries, was further improved by Graevius, Ernesti, Schütz, and others, until it appeared under its best form in the edition of Orelli, commenced at Zurich in 1826 and completed in 1837, and re-edited by Baiter and Halm in 1845—1861. Orelli had the advantage of the Scholia Bobiensia, an ancient commentary contained in the Vatican palimpsest of the 4th or 5th century, discovered and edited by Angelo Mai, concerning which see my edition of the *Planciana* p. 205. The volume containing Halm's text of this speech appeared in 1856.

The text of the present edition of the *Sestiana* is founded mainly upon that of Kayser as given in Vol. V of the edition of Cicero's entire works by J. G. Baiter and C. L. Kayser, and published by Bernhard Tauchnitz at Leipzig in 1862. Kayser's text is chiefly derived from a Paris MS (P 7794) of the 9th century, which is the only high-class MS that contains the whole of the speech. The insertions by a later hand of the 12th century to fill up lacunae, where existing, are of little or no value. The MS was carefully collated by Halm. The next in value but altogether inferior is codex Bernensis (B) of the 12th century. In addition to Kayser's text I have also consulted that of A. Eberhard and W. Hirschfelder in their second edition of XIX select orations of Cicero (Teubner, Leipzig, 1878). The volume containing this speech in the Teubner recension of Cicero's works by C. F. W. Müller (1886) did not appear in time for my first Edition.

In preparing my explanatory notes I have been largely indebted to Karl Halm's separate edition of this speech, which contains a copious selection of the notes of earlier commentators, P. Manutius, N. Abrami, Ferratius, Gere-

toni, etc., supplemented with valuable ones of his own in Latin, which was published by Koehler at Leipzig in 1845, and to his 6th edition with notes in Weidmann's Series, revised by G. Laubmann, Berlin, 1886; also in a less degree to that of H. A. Koch, ed. 2 revised by A. Eberhard, 1877. Both these Editors, together with C. F. W. Müller, have availed themselves of the most recent observations and conjectural emendations of scholars which have appeared in various separate essays and periodicals, especially those of Madvig in his *Opuscula Academica*, Vol. I p. 411—508; I. Bake (*Scholica Hypomnemata*, Vol. I p. 49—136), and *Mnemos.* 1860 p. 205—210, Pluygers *Mnem.* 1860 p. 331—335, F. Richter *Fleckeisen Ann.* 1862 p. 271—276, Dietrich ib. 1863 p. 505 ff, H. Keil *Eos* 1864 p. 15—23, Weidner *progr. Col.* 1864, Paul *Zeitschrift für Gymn.-W.* 1874 p. 305—331, Ortmann ib. 1879 p. 417—430, Urlichs *Rhein. Mus.* 1878 p. 150—153, Binsfeld *Festschrift* Coblenz 1882, Kimmig *de Sestianae Ciceronianae interpolatt. dissert.* Heidelb. 1882, Karsten *Spicileg. crit.* Leyden 1881, p. 3—p. 8; C. F. Hermann *vindiciae lectionum Bernensium in or. p. Sestio*, Göttingen, 1852; and others enumerated in Kayser's *Procemium* p. vii.

B *Critical Notes*

Ba = Baiter	Ka = Kayser
Co = Cobet	Kl = Klotz
Eb = A. Eberhard	Ko = Koch
Ern = Ernesti	Lg = Long
F = Ferratius	Mg = Madvig
Ga = Garatoni	Mu = C. F. W. Müller
Hm = Halm	Or = Orelli
Hf = Eberhard-Hirschfelder	Wg = Wesenberg

P. 1, § 1, l. 6. [ex] hoc tempore] Mu reads *hoc tempore*.

P. 2, § 2, l. 4. qua voce] Hm³ Hf; I now prefer the emendation suggested by Dr Reid *quamquam qua voce; quoniam qua voce* Ha⁴ Ka Kl; the latter also in his preface proposes *si qua*. The clause *iis potissimum vox haec serviat* is omitted by Hf Hm⁶ at the suggestion of Bake: Wg proposes to insert *ut* before *vox*. [In the 3rd ed. I have inserted *quoniam*.]

l. 6. eorum] Mu coni. *meorum*.

§ 4, l. 23. dolor ullus] so Ka Hm Mu; *dolor ullius* the reading of P is shown by Madvig *opusc.* I p. 435 to be inadmissible.

§ 5, l. 32. si modo id consequi] *si modo dicendo consequi* is the conjecture of Mu.

P. 3, § 6, l. 17. gravissimae antiquitatis viris] So Hm¹, with B, for the Vulgate *gravissimis antiquitatis viris: gravissimis summae antiquitatis viris* Hm⁶ Ba after Mommsen; *gravissimis antiquae severitatis* Eberhard; *gravitatis antiquissimae* Hein., *gravitatis summae atque antiquitatis* Landgraf.

ut utrique eorum et carus] So Hm⁶, Ka; *utrique eorum ut carus*, P² Hf Kl, Dietrich ann. phil. 1863, 509, *utrique eorum ut et carus* Hm¹. The omission of *ut* in P is an instance of lipography, so common in MSS.

§ 7, l. 23. duxit iterum uxorem] so Mommsen Ka Hf; *duxit uxorem* P Hm¹; *alteram duxit uxorem* Schütz Hm²; *duxit alteram uxorem* Hein.

l. 32. maximis praeterea adsiduisque officiis] Mommsen's correction of the reading of P *maximis praeteritas esse sed iis et officiis; praeterea adsiduisque studiis et off.* coni. Mu.

P. 4, § 8, l. 16. collega] bracketed by Eberhard.

§ 9, l. 29. idemque] Ka proposes to read *indidemque* bracketing the words *ex illa urbe* in l. 32.

P. 5, § 10, l. 13. aut ambitionis] Ka after Pluygers brackets *aut*.

l. 15. vocem] so Lambinus for the MS *vicem; indicem* Ka after Köchly; *lucem* Ko; *vindicem* Urlichs.

P. 6, § 12, l. 11. in re publica virtus] Köchly suggests *in re gerenda virtus*; and l. 10 Woidner *vere* for *breve*.

l. 14. accusandum] *acuendum* Hf after W Paul.

l. 18. Italiae] Ko reads *silvestres*, on the ground that the paths leading from Italy into Gaul would be not *Italiae* but *Galliae calles*.

praeoccupare] so Hm⁶, Hf Ko after C. F. W. Müller, *predare* (or *praeclare*) P, *praedari* Ka Hm², *peragrare* Madvig, *pervagari* W, *stabula praealta cepisset* Probst ann. phil. 1868, 351.

P. 7, § 14, l. 16. insectantur] bracketed by Ko after G. Wichert and Weidner. Madvig on the other hand observes (p. 446): *se offerre*, quod mediae est significationis, ita tamen, ut sponte, non casu occurrentes intellegantur, recte hoc loco ponitur adiecto altero illo *insectantur*; asyndeton quod hic in verbis est eiusdem paene significationis, in brevi et concisa oratione, infra c. 9 § 22 in substantivis est: *falsa opiniones, errores hominum*.

§ 15, l. 24. fuerat ille annus iam] this is Madvig's emendation adopted by Kl Hf Ka for the MS *fuerat ille annus tam*.

funestus fuerat ille annus iam Dryander, E. F. Eberhard; *fuerat ater i. a. iam* is conjectured by Ka, *funestus ille annus iam impendebat reipublicae* by Ko who also conjectures *ruebat ille annus iam in rempublicam*, which Müller prefers.

l. 27. re quidem] so Hm^{3} with P: *re quidem vera* Ka Ko Hf Mu.

P. 8, § 16, l. 8. putabat] so Schol. Bob.: the mss reading is *putaret*.

l. 13. exsanguis] Mu Hm after Koch, cf. § 24 l. 19: the mss have *insane*, which Ka and others correct into *insani*.

§ 17, l. 17. perditores vestrae dignitatis] the common reading is *proditores*. I have adopted the reading suggested by Dr Reid, who compares or. in Pis. § 64 *senatus odit te afflictórem ac perditorem non modo dignitatis et auctoritatis sed omnino ordinis ac nominis sui*. If *proditores* be kept, *vestrae dignitatis* must apply to the Roman people at large.

§ 18, l. 31. [in] fretu] Ka Hm^{3} after Seyffert read *fretu*.

P. 9, § 19, l. 16. annus] so Lambinus followed by Hm Ko Kl Hf for *antius*, the reading of P. Schütz conjectured *consulatus*, K. F. Hermann *magistratus*, Jeep *cincinnatus*.

l. 17. tamquam vade] *vade* is restored by Madvig from the old grammarian Valerius Probus (ed. Putzsch p. 1461 and 1475). Eberhard brackets the whole clause *ut illo supercilio videretur* as a gloss explanatory of *tanta*, Ko would omit *tamquam* and read *anni totius moles*, while Ka after Bake brackets the whole passage *tanta—videretur* as spurious.

P. 10, § 22, l. 17. [cum re publica. It is not surprising that Lambinus wished to read *populo Romano* here. Both *res publica* and *populus Romanus* were written by contractions and it was easy to mistake *p. r.* for *r. p.* Many similar confusions exist in mss. J. S. R.]

l. 18. [falsa opinione] errore: so Ka after Pluygers; others as Hf Mu bracket *errore*; Madvig retains both, see n. to § 14 l. 16.

l. 25. sermo hominis—dabat] so Hm^{3} after Jeep: the mss have *sermonis ansas dabat*, which, Dr Reid notes, is perfectly sound: as in many expressions of the kind the genitive occurs, where we should use the dative; e.g. *finem sermonis facere, fidem orationis facere*. Sauppe Ka Hf read *sermones ansas dabant*: Mu *sermo nobis etc.*

§ 23, l. 32. partibus] supplied by Orelli, cf. ep. ad Att. III 7 ext.; others add *sensibus*, but *sensus* is not used like *αἰσθήσεις*; Madvig would read *omni vi*; others *viribus, oribus, nervis*.

P. 11, § 24, l. 12. sermonis] *nidoris* Eb; *foetoris* conj. Mu.

l. 16. aut] *ac* Pluygers, O. Heine, Reid for the vulgate *aut*.

l. 22. nudatam rem publicam] so Hm^{3} Hf from a conjecture of Imelmann for the reading of P *tam rem p.*: *totam rem p.* Ka after Pluygers, *tantam remp.* Mähly, *clam. r. p.* Eberhard.

l. 27. ictum sanciri] Ka after Pluygers reads *ici*.

P. 12, § 25, l. 10. agerent aliquid] so Hm^{2} Mu: *agerent, aliquid denique referrent* Hm^{1} Ka.

§ 26, l. 15. meque iam omni ratione privato consilio] so Hm^{3} after Madvig, who notes: 'non diutius aliud auxilium (publicum) exspectandum putabant; id significat *iam* particula.' *meque etiam omni r. p. c.* Hm^{1} Hf, *omni ratione, etiam privato consilio* Köchly, Reid, *meque iam privato consilio* Eb. omitting *omni ratione*.

l. 25. [quamvis: the mss point to *cum* rather than *quamvis*. J. S. R.]: *tum quaquaestum* P; *tum, cum quaest.* Paul.

l. 26. venistis] so Hm for *venisset* of P: *vos deinde, cum venissetis ad senatum* is proposed by Ka. For *cum* Hm has *tum*.

vos, inquam] Ko reads *vos, vos, inquam*, on the ground that otherwise *inquam* would be meaningless, but, as Madvig very properly observes, '*inquam* non ad vocabuli repetitionem pertinet sed ad sententiam, quae, iam ante universe significata, apertius et asseverantius ponitur.'

l. 29. cum, vestris precibus etc.] Hm^{3} Eb *tum; cum vestris precibus...repudiati estis; tum vir* Ka; *proiecistis, cum* Hm^{2}.

P. 13, § 28, l. 24. illius diei] *illius dies* Kl upon the authority of A. Gell. IX 14, 6.

P. 14, § 29, l. 9. relegarit] bracketed by Hm^{3} Ka Hf Ko after du Rieu.

§ 30, l. 17 for *tum* Mu conj. *tamen*: so Hm^{1}.

P. 15, § 32, l. 17. aut concilium] Dr Reid doubts the genuineness of these words; F. Schoell that of *veste mutata*.

P. 16, § 33, l. 8. legatos] bracketed as spurious by Ka Ko after Madvig and Gronovius.

l. 4. legisti] I believe with Dr Reid that this is the true reading for the mss *legasti*, retained by Mu.

l. 10. nemo est quin non] 'I am not sure' writes Dr Reid 'that certain exx. can be produced of *quin* immediately followed by a negative.'

l. 15. agebantur] So Müller, Hm^{6}, *parabantur* Ko, *ferebantur* Or. Hertz fills up the gap with *committebantur*.

l. 26. isdem consulibus] Pluygers adds *coniventibus*.

P. 17, l. 2. dominabatur, aliis pollicebatur] the words *aliis pollicebatur* are regarded as a gloss by Pluygers, Kayser and Kimmig; *minabatur aliis, aliis pollicebatur* is suggested by Tittler annal. phil. 1869 p. 492: who is followed by Hm^{5}, Hf Eb; but cf. § 85 l. 15. 'German editors' writes Dr Reid 'never seem contented to allow that *alius* may sometimes be contrasted with another *alius*, not expressed, but the phenomenon is common enough.'

§ 35, l. 11. excisam] Halm has *excissam*; see explanatory notes; Müller retains *excisam*.

§ 36, l. 22. tam parato] Kayser suggests *tam parato equestri ordine; tam parato ordine equestri* Richt, Eb; *tam p. populo* Mu after Mommsen.

§ 37, l. 31. respexerat] so Halm for *sumperat* of the mss; Kl and others read *tum spectarat*; Ka *eam sumperat*; Reid *se emiserat*; Ko Hertz and Müller *spiritus sumperat*.

P. 18, § 38, l. 16. ea] Kayser suggests *et ea*.

P. 19, § 39, l. 4. mortem] *caedem* Hf; *cladem* Köchly. Kayser brackets *vel potius domesticorum hostium*, om. by schol.

l. 5. illa] Probst *alia*.

l. 12. debebat] Halm^{5} reads *credebatur*, comparing § 41 l. 15; *debebat* Hm^{6} Mu: *videbatur* Ulrichs.

§ 40, l. 17. praecesse] Ka Hf read *praesto esse* with F. C. Wolff; Koch following Ernesti brackets *et praecesse et*; Madvig with Or *reipublicae praecesse; Romae esse* Mu.

l. 20. causae dictionem] Dr Reid thinks these words may be a gloss.

l. 23. quid ergo?] *quid? ergo* Lambinus Kl Ka.

l. 29. aliquo] *alio* Bake Ka.

l. 30—32. quod acta illa—putabant] Ka brackets this clause as spurious, on the suggestion of Bake.

P. 20, § 41, l. 3. a consulibus] Hf [a] *consulibus*.

l. 7. domi meae] bracketed by Ka Ernesti Bake; *ad eam rem positi*, by Bake Ka Kimmig, Ortmann.

§ 42, l. 32. meum] Eb and Halm^{5} read *me*, after Fleckeisen in *Neue J.* for 1875 p. 85. See Addenda p. 277.

P. 21, § 44, l. 14. imposuisset] *eam imposuisset* Madvig.

l. 20. vocassent] Halm^{5} reads *concitassent*; H. A. Koch suggests *vocari passi essent; populum vocassent* Hein: *vocarent* mss.

l. 22. meum] not in mss but added by Ascensius 1551.

§ 45, l. 24. enim] *tamen* H. Keil; *etiam* Hm^{4} i.e. 'one thing more,' [*enim*] Ka, Mu.

P. 22, § 46, l. 18. me unum] Mu, Hm^{6}; *unum multi* Ko; *unum undique* Eb; *unum cuncti* Hertz.

§ 47, l. 22. improbi. at armis, at ab eo privato] so Hm^{5}: *at armis ab eo privato* Hf; *at acie, at ab eo privato* W. Paul, *ab eo armato privato* Lambinus, Müller; *at vi* Bake; *improbi, at rei at cives* Köchly.

l. 27. quid? tum mortemne fugiebam] Hm^{5} Hf Ka: *quid tum?* Eb Mu.

l. 31. exilium] Mu Hm^{6}: *exitium* Hotoman Ka Eb Hf Wg Mg.

P. 23, l. 4. tam] *tamne* Hm, *tamen* P.

l. 18. tum maxime mentes] *tum mentis maxime* Ka Eb.

§ 48, l. 25. [post aliquot annos: Cic. probably wrote *post aliquot annis*, 'later by a good many years.' J. S. R.]

P. 24, § 50, l. 29. vi] *vim* Eb Mu; *vim fugisset* H. Keil.

P. 25, l. 4. ad rei p. fatum] the correction of Pantagathus for the mss reading *ratum; et alium rei p. statum* Garatoni, *ad reciperandam rem* Jeep, *ad reip. casum* Jacob, *ad rei p. rectionem* Reid. Madvig admits that he has no better suggestion to offer than *ad reipublicae fatum;* but he is not satisfied with it because it cannot mean 'he determined to live, whatever happened in the future': that would be *ad omnem reipublicae fortunam*. It must mean *ad perniciem reipublicae* and that is too much to say; Lehmann conjectures *motum*.

l. 10. in qua] so Mu Ernesti followed by all subsequent editors.

§ 51, l. 27. et] Hm alone reads *aut*; but *et* Hm^{6}.

P. 27, § 54, l. 5. inter meum interitum et suam praedam] *inter meum exitum et praedam* (i.e. praedam de Ciceron captam) Madvig.

§ 56, l. 27. telleretur] Reid suggests that we should read *deleretur* here or else in l. 31, cf. § 44 l. 20.

P. 26, l. 2. et rogata lege potestas per novam] the words *lege potestas per no* are not in the MSS, but the conjecture of Hm and O. Heine, who formerly read *lege utrique potestas contra Sempronium legem.*

§ 56, l. 13. eam] Ko, Hm^{6} Mu after Lamb. for MSS *ea.*

§ 57, l. 20. societatis et amicitiae honorem consecutus] Vahlen e schol. Bob. suppl. Hm^{5}, *honorem istum consecutus* Hm^{6} Mu i.e. eum, de quo dicentem paulo ante me audistis.

P. 29, § 58, l. 11. hic et ipse] Ka suggests *is et ipse.*

vehemens hostis fuit] Hm Ko; *vehemens fuit* Mu; *hostis vehemens fuit* Hf: the whole passage from *hic et ipse* to l. 16 *mente manxit* is bracketed by Ko Eb and Kimmig.

l. 12. huius imperii] Hm would prefer *huius urbis* because of Valer. Max. v 1, 9.

l. 14. repulsus] so Hm^{5} for *pulsus* of the MSS; which he thinks is merely a repetition of *pulsum* in l. 13, the true word having been displaced by it; *profligatus* Hf; *perculsus* W. Paul omitting what follows *animo tamen hostili*, which Mu approves.

§ 59, l. 21. rex igitur Armenius] the MSS have here *tulit gessit* with space for about 15 letters which Ka fills up with *qui bellum sociis intulit*, Mähly's conjecture; but the sense requires *ita* or some similar conjunction. Hence Lambinus suggested *Tigranes igitur qui; is igitur, qui bellum intulit, qui lacessivit* Ko; *hic igitur qui iniuriis lacessivit* Hf; *hic qui bellum intulit* Mu.

P. 31, § 62, l. 6. eius viri] Ka Mu Hf; the MSS have *us* with space for two letters before it; *talis viri* Hm^{6}.

l. 8. clamorem hominum improborum auctoritate, impetum virtute sedavit Ko Eb—a transposition which destroys the symmetry of the passage.

§ 63, l. 21. per se conservari quam per alios] so Ka Hm^{5} Hf Kl Müll.; *per alios dissipari* C. G. Zumpt, Wesenberg Eb; *alienari per alios* Seyffert; *per alios perire* Tittler ann. phil. 1869, 493, *perverti, diripi, amitti* others.

l. 29. eiusdem furori, eisdem] *eiusdem furore et eisdem* Mg.

P. 32, § 64, l. 2. in eius magistratus] so Hm^{5} Ka Hf Kl; *in cuius magistratus* Pluygers, Ko.

§ 66, l. 29. latior] Ko suggests *latentior.*

P. 33, § 67, l. 5. aliquando, serius] Hm^{5} Bake with P; *aliquanto serius* Kl.

§ 68, l. 27. videretur] *videremur* Reid, O. Müller.

P. 34, § 69, l. 9. et cum consules—flagitabant] bracketed by Ko Eb Kimmig. l. 12. hoc] *hanc* H. A. Passow.

l. 17. crevisse] Hm^{5} with the MSS; *decrevisse* Ka: *defuisse* Mommsen.

l. 21. tunc habueram] so Hm with the MSS; *ante habueram* Ernesti Eb; *tamen habueram* Ka.

§ 70, l. 28. causam suscepit] *causam meam suscepit* W. Bauer, but cf. § 71, § 87: *causa* and *partes* are often used without the possessive pronoun or genitive.

P. 35, § 71, l. 4. designatus tribunus] Hm^{5} Eb after Pantagathus; *tribunus designatus* C. Stephanus; the MSS have *designatus* only and so Mu, Hm^{6}; Garatoni proposed to omit *designatus.*

l. 7. fuerit] *fuit* or *fuerat* Reid.

l. 9. ingredior—suscepit] omitted by Schütz, Hm^{6} Kimmig Keil; *ingredior—tribunatum* by Mg. Spengel, cited by Halm, observes that at the end of § 15 Cic. begins to speak of the tribuneship of P. Sestius and says that he must speak about the disastrous condition of the state in the preceding year; having done this in cc. 7—32, and having mentioned the journey of P. Sestius to Caesar when he was *tribunus designatus*, he now begins the history of his tribunate. See Addenda p. 279.

l. 13. abiit ille annus—perdidissemus] transposed by Spengel, followed by Ka, after *sustulit* § 72 l. 29.

l. 14. nondum re, sed spe rei p. recuperandae] so Hm Hf Ka with the MSS: Madvig prefers Lambinus' emendation *spe republica recuperata.*

§ 72, l. 20. qui omnes] so Hm^{5} Ko Ka; *promulgant quod* Mommsen Hm^{6} because all the MSS have *quod*, but in that case we should have expected *promulgant omnes quod.*

l. 26. Gavii Olcii rure] so Hm^{2} with Madvig. The MS reading is *gaviolaeliore* which is unintelligible; *ex deserta Gaviorum oliveti area* Eb; *Gavii Ofellae horto* Klotz; *Gavi horto olitorio* Ko; *Gavii Ofilii horto* Bake; *Gavii olearie* Wagner.

l. 27. a Galatis Gaviis] Mommsen Mu: *a calatis Gaviis* v.

P. 36, § 73, l. 14. permutatione] so Garatoni Hm^{5} Hf Ko, Ka with the Bern MS: Madvig objects to this reading on the

ground that it must mean 'interchange' and cannot be used in the same sense as *commutationes*. He retains *perturbationes* the reading of P.

P. 37, § 75, l. 12. **in concilio**] Hm[3] with Madvig; *concilio* P Hf Hm[1] Kl Ka Reid; compare Liv. III c. 54 *eo omnia in pratis Flaminiis conc i l i o plebis acta.*

§ 76, l. 27. **virum optimum, fortissimum meique amantissimum**] Mu Hm[3]: *virum optimum et constantissimum* Ko; the whole is bracketed by Ka, and all except *virum optimum* by Bake.

l. 30. **non repugnandi sed moriendi causa**] bracketed by Ka after Bake, who also brackets *in tanto luctu ac desiderio mei.*

P. 38, l. 3. **iacuit**] *latuit* Reid.

§ 77, l. 21. **oblato**] *proposito* Mu.

l. 25. **nulla lege recitata** is the vulgate, but Hm[3] HfKa Mu read *lata:* this, however, as Dr Reid remarks, seems decidedly wrong. The disturbance would not arise after the carrying of the law, but before, in order to prevent its being carried; *lege promulgata* Lambinus.

P. 39, § 78, l. 4. **Fabricio**] bracketed by Ka after Bake and Mommsen; Kimmig hesitates.

is qui se servasse de caelo dixerat] Müller Hm[3] Mommsen, Hm[3] Hf Ko; *is qui...diceret* Kl Manutius; *qui servasset de caelo* Mg; *servasset de caelo, sicut saepe irridens dixerat* Keil.

l. 6. **quam acceptam gemere**] Hm Ka Mu; *quam acceptam gemere non* Bake; *quam ac. minus g.* Koechly; *qua accepta contemnere posset* Paul; *qua accepta tamen ingemere* Weidner; *quam acceptam tegere* Ka. e coni. Dr Reid conjectures *sanare;* I am disposed to think *redimere* nearer the MSS. See, however, note in Add.

l. 7. **rem publicam**] bracketed by Hm[3] Madvig Wunder Ka Ko; *rei publicae iure* Mommsen, Seyffert. Hm[3] suggests *publico iure;* Hm[3] follows Mommsen.

l. 11. **forum purges**] Hm[3] Ko; *forum ferro purges* Hf after Probst; *forum spurces* Ka after Manutius; *f. perturbes* Paul.

§ 79, l. 16. **magistratum gereret**] *dum magistratum gereret* Madvig: *in foro tuto* coni. Mu.

l. 20. **satis esse arm.**] Pluygers.

l. 25. **[ac]** Ka Eb Hf after Garatoni; *ac* Hm[3].

P. 40, § 80, l. 3. **locum**] Hm[3] Ka Mu; *totum* Eb.

l. 4. **Sabino homini Reatino**] the old reading, altered by Mommsen, was *Titio Sabino* (cognomen), *homini Reatino.*

§ 82, l. 26. **perhorruerunt**] Ka Kl Eb Hf after Madvig; *perhorruerant* Hm with the MSS (except P where the reading is not clear).

P. 41, § 84, l. 28. **obsideret**] *ut obsideret* Reid, on the ground that Cic. usually repeats the conjunction.

P. 42, § 85, l. 22. **hominis**] Mommsen Hm Ka Eb; *divini hominis* Hf Hm[1] Hertz.

P. 43, § 87, l. 10. **tribunus plebis**] bracketed by Ka after Bake; also by Eb and Kimmig.

P. 44, § 88, l. 1. Müller, following Hertz, introduces the words *ad ferrum, faces* from two MSS and P[2].

l. 27. **et latere; perfecit ut**] Müller suggests *abdere se;* Landgraf *et tegi ianua. Manum emere et parare coepit, ut.*

P. 45, § 91, l. 14. **feritate**] *ecferitate* P, whence W Hm[1] Hf read *efferitate* cl. Tusc. II § 20.

l. 15. **res ad communem utilitatem**] Madvig says that this expression 'neque Latine et grammatice dicitur neque sententiam satis definitam habet; communem enim utilitatem multae singulae res iuvare possunt.' Accordingly he adopts the reading of Lambinus and other editors *res communem utilitatem continentes.* Again in l. 17 after *nominatae sunt* he would supply some such word as *instituerunt* from *moenibus saepserunt* to avoid the harsh zeugma; a figure of which Cicero is not very fond at any time. In this he is followed by Eb Wesenberg Kimmig.

l. 19. **moenibus**] so Hf Keil Ko with the MSS; *ut moenibus* Hm Ka Rau Weidner; *tamquam moenibus* Bake.

§ 92, l. 26. **ut ius experiretur, vim depelleret**] bracketed by Ka after Pluygers; also by Eberhard.

P. 46, § 93, l. 6. **Gabinium et Pisonem**] bracketed by Ka Eb Kimmig after Pluygers.

l. 7. **pacatissimis atque opulentissimis**] Hm Ka: *paratissimis atque opulentissimis* Eb after C. F. Hermann; Halm prefers this or *beatissimis atque op.; pacatissimae atque opulentissimae* Hf; Ka suggests *ex opulentissimis gasis—bellum inferre pacatissimis gentibus, ut earum.*

P. 47, § 95, l. 2. **in rem publicam**] *in re publica* Ko.

l. 6. **excidit**] Halm has *excidit:* see above § 85 l. 11.

l. 10. **in tribunatu**] Hm Hf; [*in tribunatu*] Ka Ko after Bake, who brackets also *idoneos.*

§ 97, l. 32. **numero**] *de numero si quaeris* Madvig.

P. 48, l. 8. nec natura improbi] condemned by Paul and Kimmig.

l. 10. est ut] Hm Ka Ko Mu; *figitur* P; *Sequitur ig.* Madvig, who denies that *est ut sint* can be used as an equivalent for *sunt*; *Effcitur igitur* Bake, *En igitur* Jeep.

l. 12. opinionibus] so Hm Hf Ka for *opinis* of the MSS; *opibus* Eb Mu.

P. 49, § 99, l. 7. auctores] so Hm^3 Eb Or., the MSS have *tutores*, a very rare word in its general sense, though Mu retains it in this passage.

§ 100, l. 15. aut insidiarum] so Hm with the MSS; *et insidiarum* Ka, *atque insidiarum* Garatoni.

P. 50, § 102, l. 23. dixisset] the MSS have *dixit*, whence Mähly conjectured *dixet*.

§ 103, l. 27 *ac ratio* del. Mg; and also *etiam reip. cap.* Ba.

P. 52, § 106, l. 15. maxime populi Romani iudicium] *maxime de re p. iudicium* Mommsen, *max. de rep. pop. Rom. iud.* Ba, *max. de P. R. iud.* P.

P. 53, § 107, l. 1. praebuit] so Hm Mu after Madvig fill up the lacuna in P; *exhibuit* the old edd. from S; *professus est* Ko Eb. [Some word of speaking seems necessary: possibly *praedicavit*. J. S. B.] *Huius oratio—fuit* del. Mg Wesenberg.

§ 109, l. 26. una] *una voce* Ko Eb; *una mente* Mu.

P. 54, § 110, l. 5. reculam] so Hm^3 Ka Ko Hf after Latendorf and Keil for the MSS *regulam*, which might be retained, if we adopt *deliciis*, the conj. of Pantagathus, for *divitiis*.

l. 7. nihil satiabant cum libelli] so Hm from a conjecture of Ko; *nihil delectabant* Hf; *nihil sane Attici iuvabant anagnostae, libelli* Madvig: P has *saneate, libelli*, with *iuvabant anagnostae* over the line from a second hand; whence W. Paul conjectures *nihil iuvabant anagnostae, libelli pro vino etc.*; *nihil suavitates iuvabant anagnostae, libelli pro nihil sane erat: libelli pro vino* Jeep; *nihil esurientem iuvabant anagn., nihil sane ad eum libelli: pro vino etc.* Köchly; *n. sapientiae anagn. iuvabant* L. Spengel; *n. s. alebant te libelli* Weidner; *n. ganeonem tamen iuv. an.* Landgraf; *n. sane attente; libelli* Vitelli; *nihil sani tamen e libellis* Reid.

P. 55, § 112, l. 10. satis iustam—putavit] The reading of P is *satis iustam vel illam putavit*, whence Hm reads *iustam illam p.* Dr Reid thinks that the words *ut illam* come from a marginal variant for *iustam* written *ut* (*vel*) *illam*; the confusion of this contraction for *vel* with *ut* is well known.

§ 113, l. 24. gratum] Kl Mu: *gratam* Man Hm, *grata* Wg from a second conjecture of Manutius; *gratum* P, *gratum fecisse* Seyffert.

§ 114, l. 28. quid egerunt] bracketed by Ka.

P. 56, l. 10. dicebantur] *ordiebantur* Eb, *solebant* Ko, *pestes posse vexare* Lehmann.

l. 19. Mu adds from some MSS *sunt interdum verae*, after *significationes*.

P. 59, § 120, l. 8. qua enim vi] so Köchly, Mähly, Mu; *qua* Ka with the MSS. 'The reading' says Dr Reid 'is hardly satisfactory. The sense is very abrupt: "with what power he said—he said that I sided with you." I would read *cum enim ita* (or *sic*), making the apodosis begin at *revocabatur*. "When in these words—he declared I had championed you and pointed to your ranks, he was recalled by the whole assembly."' Klotz reads *quia enim—demonstrabat, revocabatur*.

§ 121, l. 10. cum iam—praeditum] Dr Reid doubts the soundness of these words as they stand.

l. 18. in eadem fabula] bracketed by Bake.

l. 20. putabat] so Hm^3 Herzog Mu and others; *putarat* Hm^1 Ka with the MSS, *appellabat* Köchly e coni.

P. 60, § 122, l. 8. pro me] Madvig conjectured *pro re*, i.e. apte ad rem, ad id quod propositum erat in manibus, comparing Liv. VII 33, 1, Caes. B. G. V 8, Verg. Aen. IV 337: but Wesenberg rightly points out that the meaning is 'illud quod poeta non *de* me, sed *pro* me *scripsit*, actor ita *egit* ut etiam *de me scriptum* videretur.'

§ 124, l. 32. illo Metello Madvig with cod. Vat., 'nam addito pronomine, quo notus homo demonstratur, abundat praenomen,' *illo Q. Metello* Hm edd.

P. 61, § 126, l. 24. ille praetor, qui] so Ka Kl Hf Hm with Garatoni; *illi et R. qui* P, *ille tribunus pl. qui* Or.

P. 62, § 127, l. 11. sine iis captivis] So Hm^3 Hf Ka Ko Mu; Jeep proposes *iis invitis*.

P. 64, § 130, l. 4. cum summa auctoritate senatus, tum P. Servili divina quadam gravitate dicendi] So Hm^2 Hf after Kl from the speech p. red. in senatu § 25: the MSS have *excitatus summa cum auctoritate p. servili quadam gravitate dicendi. Cum summa auctoritate P. C.* (*patrum conscriptorum*) *tum P. Servilii incredibili quadam* Wesenberg; *cum summa auctoritate P. Servilii, tum incredibili quadam gravitate* Hm^1 after Manutius; *summa auct.* senatus; *tum P. Ser.* incredibili etc. Mu.

l. 11. conlacrumavit vir] so Hm Ka after Lambinus: the

MSS have *conlacrimavitat ut vir*, hence Mommsen elicits the reading *conlacrimavit atque ut vir—totum se.*

§ 131, l. 24. idem dies] Richter supplies before these words *quo die lex est lata de me, eo venissem cumque casu.*

l. 25. natalis idem] *qua natalis idem* Ka.

l. 32. cunctae] so Laubmann after Jeep (1851) and Madvig *Adversaria critica* III 142: the old reading was *cumque.*

P. 65, § 132, l. 12. mitem hominem et a caede abhorrentem] Hm^{6} Mu: *mitem hominem et ab omni vi abhorrentem* Hm^{5}: *mitem horrentem* P.

P. 66, § 133. E. Lübbert (*Archiv für Lateinische Lexicographie* II p. 222 f.) seeks to explain this difficult passage by supposing that the clause of the law itself was:—*ne quis biennio, quo petiit petierit petiturus sit, gladiatorium munus edito,* the *petiturus sit* being added to include the last portion of the *biennium* and to prevent any legal quibbling.

§ 134, l. 11. iste nimia gloriae cupiditate] bracketed by Ka Hf Hm^{5} at the suggestion of Madvig.

P. 68, § 137, l. 6. splendore confirmari] so the MSS, but Hm Hf Ka Mu adopt Bake's emendation *splendorem confirmare.* '*Splendorem confirmare* seems at first sight to make the sentence more symmetrical, but I hold to the MSS reading (1) because the change from passive to active infin. with verbs of desire is found elsewhere; (2) because copyists are not unlikely to have altered the symmetry of the sentence; (3) because the MSS reading gives very good sense 'the senate are to be supported by the equites in their government of the masses.'' J. S. R.

P. 69, § 140, l. 14. possum] so Hm Hf Mu with the MSS: Madvig Reid read *possim.*

P. 70 § 141, l. 14. optabilius] so Hm^{5} after Schütz and Dobree; the MSS have *ñaliud* with a slight erasure before *ñ: ornatius* Paul, *maius* Hm^{4} after Madvig, *praestabilius* Hf; *honestius* Seyffert Ka; *te defendentem occidere maluisses* Jeep; *nobilius* C. F. Hermann, Reid; *satius* Or; *laudabilius* Müller.

P. 71, § 144, l. 26. mei et fratris liberorumque nostrorum] so Hm^{5} Mu: Ka Hm^{1} *mei et fratris rerumque nostrarum* with S; *mei fratris eorumque nostrorum* A, with *r* written above *eo.*

P. 72, § 145, l. 14. corpore texeram] so Ko; Ka Mg Hf *certe dilexeram*; *certadeie texeram* P with *ie* obliterated, from which Hm^{5} elicits *a caede texeram*, Seyffert *ab interitu retraxeram*, Wg *certe erexeram*, Reid *a direptione texeram*, comparing ep. ad fam. IV 1, 2 *urbem relictam direptioni et incendiis.*

ADDENDA ET CORRIGENDA

P. 3, § 6, l. 14. eo auctore] 'I cannot think,' says Mr Reid, 'that the words are used in their legal sense here.' Cic. is merely praising Sestius for submitting dutifully to his father's wishes.

P. 4, § 7, l. 3. provinciali abstinentia] fully illustrated by Wickert, *über d. Gebrauch des adjectiv. Attrib. etc.* Berlin, Weidmann, 1877. J. S. R.

P. 8, § 16, l. 7. lege curiata] The case of Clodius seems to fall under the head of *deminutio capitis.* Being *sui iuris* he was adopted by a plebeian. J. S. R.

P. 9, § 19, l. 10. purpura] Göll in the new edition of Becker's *Gallus* refers to Nepos in Plin. n. h. IX 137, where it is stated that the aedile P. Lentulus Spinther in B. C. 63 was the first to wear Tyrian purple on the *praetexta;* also Cic. or. in Cat. II 5, or. p. Cael. § 77; both Augustus and Nero issued edicts restricting the use of the Tyrian purple to magistrates. J. S. R.

§ 18, l. 27. adfluens] H^{6} has *afluens.*

P. 18, § 39, l. 27. M. Scaurum] As to Saturninus I would remark that the *optimates* always had some official explanation of the (to them) strange fact that any man of ability should take the popular side. Neither this story of Saturninus nor the similar story of Tib. Gracchus concerning the treaty of Numantia is worthy of credit. J. S. R.

P. 19, § 40, l. 20. causae dictionem] These words have an odd look. If genuine, they must refer to a criminal trial (cf. *causam dicere*); but the only two kinds of criminal trial (*iudicium populi* and *iudicium publicum*) have been already mentioned. Are the words a gloss? J. S. R.

P. 20, § 42, l. 32. meum—vestro] Fleckeisen in *Neue J.* for 1875 p. 856 contends that it is a logical necessity to read *me* here for *meum;* he quotes or. p. Planc. §§ 86, 89. J. S. R.

P. 44, § 88, l. 8. **ut refutaret**, 'to render harmless'; cf. my n. on or. p. Sull. § 25. J. S. R.

§ 88, l. 13. ***descendere in causam, rostra, forum etc.*** are such common phrases that I think there can hardly be any idea of condescension here; cf. or. Phil. VIII 4 *populi Romani qui iam descendit in causam.* J. S. R.

P. 85, c. IV, § 9, l. 26. ***add*** **Mevulanum**] E. Hübner suggests *Mefulanum*; Hertz *Menolavum*, both from inscriptions.

P. 97, § 16, l. 13. ***after*** cons. B.C. 60 ***add*** she is identified with the Lesbia of Catullus.

P. 99, § 18, l. 2. ***add*** **ereptum, ne...diceret**, 'was delivered from an impeachment.' Cf. Caes. b. gall. I 4, 2 *per eos, ne causam diceret, se eripuit.*

P. 102, c. IX, § 20, l. 30. ***add*** **quis...arbitraretur**, 'who could have believed?'

P. 103, § 21, l. 9. ***add*** **meritorum memoria...mortuorum**] Cic. is fond of giving additional emphasis to words by alliteration. Cf. below *tristem, taciturnum, familiae, frugalitas, favebant.*

P. 107, c. X, § 24, l. 11. ***add*** **ita...fumabat**, 'the very atmosphere of his house was such that etc.'

P. 113, c. XII, § 28, l. 26. ***add*** **videlicet**, 'obviously,' 'naturally.'

P. 127, c. XVII, § 38, l. 19. ***add*** **victore exercitu**] cf. § 79 *manus illa victrix.*

P. 130, § 39, l. 5. ***add*** **illa**, 'the following considerations': cf. § 121.

P. 133, c. XVIII, § 41, l. 10. ***add*** **nuntiis**] sc. **mittendis**)(*coram ipsi*, 'themselves in person.'

P. 134, c. XIX, § 42, l. 23. **contionibus** is the ablative not, as Halm takes it, the dative.

P. 149, c. XXI, § 47, l. 1. ***add*** **diiunctione**, 'separation from friends.'

P. 142, § 48, l. 30. ***add*** **variis**, 'changeable,' alternately successful and unsuccessful.

P. 143, § 49, l. 15. **vastitatem**, 'desolation' of your homes. l. 17. **aerumna**, i.e. **aegritudine laboriosa**, as it is explained by Cic. himself in Tusc. IV 8, 19.

P. 144, § 50, l. 30. **prope iustorum**] Cicero qualifies his description of the civil war between Sulla and Marius, out of regard to the senate on the one hand and Caesar on the other,

who once served under Marius. l. 31. **paludibus**] ablative of the means. l. 32. **tenuissimorum**, 'poorest,' cf. § 103, l. 3 *tenuiorum*. l. 2. **oras Africae**] Marius found a refuge at first in Numidia; afterwards, as King Hiempsal did not afford him protection, in the small island of Kerkina off the coast of Tunis. Thence he betook himself to Carthage. l. 11. **quod si immortale retinetur**, 'as long as this (example of the observance of faith by the State) is kept to, so long will the State be secure against harm,' because every one knows that his patriotism will be appreciated.

P. 145, c. XXIII, § 51, l. 14. ***add*** **nam**] see note on § 19, l. 13. l. 16. **pacatos**, 'reduced to a state of peace,' i.e. politically dependent on, subjects of Rome. l. 20. **quam omnem**] sc. *medicinam*. l. 22. **potestas**, 'the possibility.' l. 25. **spectatis**, 'do not lose sight of.'

§ 52, l. 31. ***add*** **numquam...quisquam**, not *nemo...umquam*, because the stress is on 'never.'

P. 149, c. XXIV, § 54, l. 11. ***add*** **laetitiam**, 'joy' as outwardly manifested; **gaudium** 'joy' as felt inwardly. Cf. l. 16 *laetabantur.*

P. 153, c. XXVII, § 59, l. 24. **confixit, signa contulit**] the first might refer to a personal combat without an army; the latter only to a contest at the head of an army.

P. 162, c. XXIX, § 63, l. 17. ***add*** **atque**, 'and moreover.' l. 28. ***add*** **eidem tempori**, 'another such misfortune': *tempus* is often thus used for 'what happens in the time,' generally in a bad sense: cf. § 63, l. 28, § 123, l. 20.

P. 163, c. XXX, § 64, l. 2. ***add*** **exterae**] *exterus* refers to the geographical position; *externus* has a political meaning, 'foreign' in the sense of 'not Roman.'

P. 164, § 64, l. 7. ***add*** **stantem...iacentem**] Cf. § 7, l. 28.

P. 165, § 66, l. 23. ***add*** **qui locus...non erat**, 'where was there a place, that was not &c.?'

P. 167, § 67, l. 14. ***add*** **virtute victoriaque**, 'by his victorious valour.' l. 15. **compressis**, 'having been put down with a strong hand.'

P. 172, c. XXXIII, § 71, l. 9. ***add*** **ingredior** etc. I now come to consider his official doings as Tribune: for this journey was the first action, which he undertook in his official capacity in the public service, (to which he felt himself bound, because) he believed etc.

P. 181, § 78, l. 27. *add* cum gladio] see note to § 82, l. 32.

P. 183, § 78, l. 6. gemere posset] *add* 'it might have merely lamented, have been satisfied with lamenting.' On the omission of the qualifying adverb, see note to § 12, l. 9, § 100, l. 20.

P. 187, § 82, l. 3. *add* atque 'and besides.'

P. 192, § 88, l. 30. *add* contritum et contemptum] The combination of two, often alliterative, synonyms to add strength to an expression, where in English we should sometimes use an adverb, is of frequent occurrence. So § 16 *ignarus et imprudens*; § 45 *vivus et videns*; § 77 *patricius et praetorius*; § 107 *gravis et gratus*; § 145 *tot et tales*. l. 5. *add* si leges non valerent, 'if the laws were too weak.'

P. 200, c. XLV, § 94, l. 27. *add* According to Festus *quisquiliae* means *quidquid ex arboribus minutis surculorum foliorumque cadit*.

P. 206, c. XLV, § 96, l. 19. *add* cum dignitate otium] 'the maintenance of public peace and quiet combined with a respectable position.' According to Cic. *dignitas* = *alicuius honesta et cultu et honore et verecundia digna auctoritas*, a position in public life commanding personal respect and honour.

c. XLVI, § 99, l. 31. *add* defensorem et patronum, the first in doing battle against an invader (negatively), the second as an upholder of rights and privileges (positively).

P. 210, c. XLVII, § 101, l. 8. *add* qui vivunt, 'who are still living,' 'our contemporaries.'

c. XLVIII, § 102, l. 12. *add* haec, 'these examples.' l. 20. *add* The order is: *inscitia est postulare id quod multi...expetant, nisi etc.*

P. 211, § 103, l. 3. *add* tenuiorum] the standing expression in Cic. for 'the poorer class')(the well-to-do. Cf. § 50, l. 32.

P. 215, § 107, l. 2. *add* Laubmann H[e] reads *neque sententiam eius auctoritate, neque eloquentiam iucunditate etc.* § 108, l. 10. *add* non dicam] = *praeteribo*, 'I will not say,' different from *ne dicam* 'not to say,' i.e. putting aside a stronger expression.

P. 218, c. LII, § 111, l. 32 for *tutorum* read *tutorum quos instituit*.

P. 220, c. LIII, § 113, l. 22 *add* Domiti] tribune in B.C. 59. He went over to the side of Caesar later, and commanded the centre of his army at Pharsalus. l. 25. *add* C. Fannio] Gaius Fannius also was tribune in B.C. 59, and an opponent of Caesar and Clodius.

P. 221, § 114, l. 11. *add* comitiis] in the *Comitia tributa* of B.C. 59.

P. 222, c. LIV, § 115, l. 28. *add* si est leve, 'if it is *only* a trifle.' See note to § 12, l. 9, § 100, l. 20. So § 135, l. 22, *sortito*, 'merely by lot.'

P. 223, § 115, l. 30. *add* the use of the word *favor* here receives curious illustration from the Prologue to Plautus' Amphitryon vv. 67—80 where the *favitores* of the theatre are mentioned. This part of the Prologue cannot be earlier than the late Republic. J. S. R.

§ 116, l. 5. *add* sororis] Clodius's sister (§ 39, l. 30) was notorious for her love of dancing, which the Romans considered as an amusement unworthy of sensible people.

P. 228, c. LVI, § 120, l. 6. *add* vestros ordines, 'the rows of you in the theatre.'

P. 243, c. LXIV, § 133, l. 28. *add* illum meae is an emendation of Naugerius; tabulam of later MSS. C. F. W. Müller proposes to read *illius meae...vivit, tubam Vatinium* (or *illum*), *esse scriptorem esse diceret*; Madvig, *Adv.* III 143 *illius meae... vivit, ambo una esse scriptores e. diceret*: the MSS have *illius meae...vivit, toambuam esseee scriptorem e. diceret*.

P. 245, c. LXIV, § 134, l. 19. *add* populari studio, 'sympathy for the people.' l. 24. *add* nonne pertimescit? 'must he not be frightened for his life?'

P. 247, § 135, l. 8. *add* haec optima lex, sc. that of Caesar *de repetundis*.

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3. Amount at which:

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(c) efficient cause, ground, influence (*ablativus causae moventis*, 'for,' 'from,' 'in consequence of,' 'under the influence of'): *expulsus eo crimine* 53 32, *meis incommodis laetabantur* 55 16, *flagrantem invidia* 140 18, 4 26, 20 30, 21 5, 52 32, 58 10, *respirasse spe resp. recuperandae* 71 14, 73 15, 79 30, 80 1, 86 6, *otio et tranquillitate reipublicae* [illegible]

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5. Description, manner, circumstances:

(a) description or characteristic quality: qualifying the verb '*esse*' or substantives 1 3, *senatus fuerat veste mutata* 53 4, 27 10, *erat eo nomine* 21 12, *erat eadem vetustate societatis* 57 22, *vir incredibili fide* 26 30, *meliore esse sensu* 47 16, 86 28, 88 4, 91 11, 95 1, 107 3, 141 14, 142 18, 145 10, 146 23, *adulescens senili iudicio* 111 31

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(2) without adjectival predicate: *agebat auctoritate, agebat consilio* 87 27, *iure* 65 19, 73 8, 90 2, *more maiorum* 73 8, *re non verbis* 86 1, *si moribus ageret* 88 1 [The preposition *cum* is often used in expressions which come under the general notion of manner or accompaniment, as to denote the presence of a weapon, *cum gladiis* 28 51, 78 27, *cum praesidio magno fuisse* 78 32, in expressions of dress *paenulam cum qua venerat* 82 32; *cum imperio esse* 41 15, 128 24, *cum dedecore cadere* 87 8, *egit causam summa cum gravitate* 107 27, 121 17]

(c) attendant circumstances under which an action takes place or an assertion is made ('ablative absolute'):

(1) (α) with adjective as oblique predicate: *eo auctore* 6 14, *patre vivo* 7 23, *meo periculo helluabare* 111 26, *summo timore ac periculo civitatis* 8 13, 12 3, *non modo nullo senatus consulto sed etiam repugnante senatu* 33 3, 35 13, 36 20, *qui a me nullo meo merito alienus esse debebat* 39 12, 49 10, 54 4, 64 6, 89 14, 107 28, 120 26, 133 22, *auctore Cn. Pompeio* 39 7, 43 6, 58 16, *nullo meo crimine patriae nomine laborantem* 64 6, *invitissimis eis* 67 6, *exierunt malis ominibus* 71 15, 89 14, 107 28, 108 3, *consensu maximo* 119 27

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(2) with present active or perfect passive participle as (oblique) predicate 9 5, 25 1, 26 29, 33 4, 36 22, 46 8

C. Place whence:

1. Place from which movement is made without a preposition: *Capua praecipitem iecit* 9 27

[A preposition is required when the place from which is expressed by a common noun or name of person: *exterminandum ex illa urbe* 9 32]

2. Thing from which separation takes place or exists: *cum Capuam metu liberasset* 11 17, 78 17, *templis pellebantur* 85 14, *magistratus templo deicias* 78 10, *cum possessionibus diuturnis moverentur* 103 5

[Verbs compounded with the ablative prepositions have frequently *ab de ex* with the noun, *cum urbem ex periculis maximis extraxissent* 11 19, 20 30, 26 14, *ut ab urbe abesset* 29 1, 29 16, *exterminabit a suis dis* 30 21, *senatum de rep. tollere* 30 27, *evolat ex senatu* 28 18, *ex memoria evellendos* 33 10, *cum consules a rep. retraxisset* 34 1, *de civitate sublatum* 41 20, *depelli a reip. peste* 43 4, 49 14, 79 27, *quem totum de civitate delerant* 44 19, 47 14, *abesse a patria* 49 25, 53 16, 55 26, *pulsum Ponto* 58 13, 60 7, 63 22, *a defensione meae salutis mentem viri averterant* 67 8, 68 31, *a causa non abhorrere* 71 12, *nomen suum de fabulis sustulit* 72 28, *de civitate tolli* 78 9, 84 3, 90 1, 96 23, 98 24, 101 4, 101 6, 101 11, 103 29, *ab industria avocari* 103 9, 108 13, *vis odium suum a corpore represserunt* 107 24, 130 1, *hominem a caede abhorrentem* 132 13]

3. Origin: *parente natus est severo* 6 10, *erat isdem maioribus* 57 22 (with *ex: ex isdem quibus nos radicibus natum* 50 28)

4. Standard of comparison ('starting from'):

(a) qualifying adjectives in the comparative degree: *nihil praestabilius otiosa vita* 23 3, *salus meorum civium mihi fuit mea carior vita* 45 29, *respublica qua nihil est sanctius* 147 2

(b) qualifying adverbs, or adverbial cases of adjectives, in the comparative degree: *alius alio gravius* 74 32
in descriptions of size, age, number *plus, amplius, minus* are used without change of case, and the noun of size, etc. is subjoined in the proper case with or without *quam: plus viginti volneribus acceptis* 85 21

IV Genitive:

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1. as an invariable secondary predicate: *hoc sentire prudentias est* 86 8

2. Divided whole:

(a) Definite whole: *quod boni posset in rempublicam pervenire* 63 20

(b) Indefinite whole: *eo loci* 68 26, *tantum sceleris* 22 15, *satis signi* 27 10, *aliquid ficti* 133 25, 24 13

(c) dependent on certain adjectives derived from substantives: *expers consilii* 47 5

3. Particular kind or contents, that in *or* of which a thing consists.
Definite (genitive of specific definition): *officio vicinitatis* 10 12, *laudis fructum* 87 12, 90 30, 112 10, 137 30

4. Quality or description with adjective: *omnium generum atque ordinum cives* 25 2, 86 25, 97 2, *vir acris animi* 45 25, *cum eius essem civitatis* 48 22, 99 32, *artifex partium...in scena optimarum* 120 30, *homo eiusdem sanguinis* 130 14, *fanum sanctissimarum religionum* 56 11
(without appellative noun 130 14)

5. Object of action implied in substantives and adjectives (objective genitive).

(a) Direct object, answering to an accusative or infinitive after the corresponding verb 10 14, 23 30, *ignari veritatis* 41 14, *mei amantissimum* 76 28, *veri simile* 78 26, *negotii gerentes* 97 4, *peccatorum conscii* 99 2, *novarum rerum cupidus* 104 16

(b) Remoter object, corresponding to a dative (*rare*), or ablative or prepositional phrases after the corresponding verb: *studiosum mei* 41 6, 45 6, *tanta spoliatione omnium rerum* 47 2, *patriae caritas* 53 20, *inimicitias ex reipublicae* (=*de rep.*) *dissensione susceptas* 72 3, *contentionibus reipublicae:* 130 2

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(a) after verbs of accusing, condemning, acquitting: *rerum capitalium condemnatos* 84 1

(b) the object exciting mental emotion: *ut illum paene iam provinciae paeniteret* 60 22

(c) the thing remembered: *materni generis oblitii* 21 14

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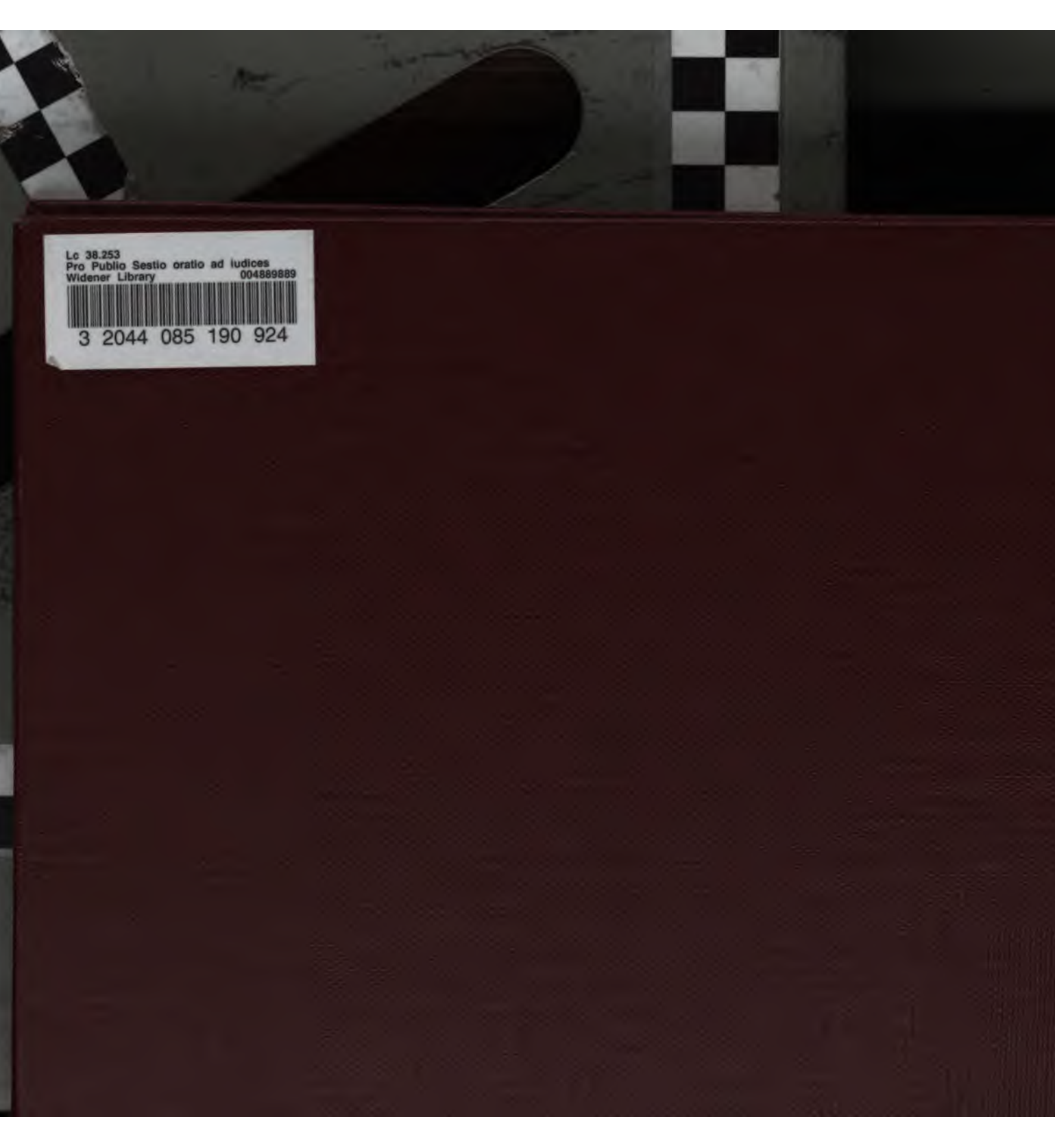
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